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# A PRÉCIS ON AFGHAN AFFAIRS

FROM FEBRUARY 1919 TO SEPTEMBER 1927.

COMPILED BY

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GOVERNMENT OF INDIA.



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**PART I.**

CHRONOLOGICAL NARRATIVE.

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### PART I.

#### CHRONOLOGICAL NARRATIVE.

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## PREFACE.

The following summaries of Afghan affairs have been compiled :—

- (1) Mr. Talboys Wheeler's Memorandum of Afghan Affairs, from 1700 to June 1863.
- (2) Mr. Wyllie's Précis of information regarding events in Afghanistan from June 1863 to May 1866.
- (3) Mr. Le Poer Wynne's Précis of affairs of Afghanistan from May 1866 to April 1872.
- (4) Mr. T. C. Plowden's Précis of correspondence regarding the affairs of Afghanistan from April 1872 to May 1879.
- (5) Lieut.-Col. C. J. Windham's Précis on Afghan affairs from May 1879 to November 1893.

The present précis is intended to cover the period from February 1919 to September 1927. It is unfortunate that its preparation could not be deferred until the gap between November 1893 and February 1919 had been filled, but the requirements of literary continuity have had to give way to those of practical urgency, and the break which Afghanistan made with its past in 1919 was so complete that the inconvenience caused by this gap will perhaps be found actually less serious than might have been expected.

The achievement of freedom in its foreign relations and the appointment of a professional journalist, in the person of S. Mahmud Tarzi, as its Foreign Minister, have brought Afghanistan into contact with European civilisation and stimulated its interest in foreign affairs.

Nowadays, as pointed out by Sir Henry Dobbs, the key to the vagaries of the Afghan Government in their dealings with British representatives is often to be found in matters which, in the old days, would have been beyond their ken.

This expansion of horizon has seemed to require recognition in the arrangement of the present précis, and the account of each period under review has accordingly been prefaced with a brief summary of the existing situation in the Near and Middle East. These summaries are not intended to be exhaustive, or to do more than indicate the matters which, as shown by notices in the Afghan Press or otherwise, mainly interested Afghan politicians at the time.

For the sake of convenience Amanullah Khan has been referred to throughout as 'Amir', and not as 'King'.

The writer's acknowledgments are due to the General Staff, India, for valuable assistance of various kinds ; to Lieut. J. B. P. Angwin, R.E., in charge of the Simla Drawing Office, for the trouble he has taken with the maps ; and, in a special sense, to Sir Francis Humphrys, His Majesty's Minister at Kabul, and to Sir Denys Bray, Foreign Secretary to the Government of India.

*January 1928.*



## PERIOD I.

FROM THE DEATH OF AMIR HABIBULLAH (20TH FEBRUARY 1919)  
TO THE TREATY OF RAWALPINDI (8TH AUGUST 1919).

### CHAPTER I.

#### THE NATIONALIST MOVEMENT.

**1. The rise of Nationalism in the East.**—In Afghanistan, as in most Oriental countries, the keynote of recent history may be found in the rise of nationalism. So rapid has been the progress of this movement throughout the East that the casual observer, looking no further than the careers of Mustapha Kemal, Zaghul Pasha, Reza Khan, Abdul Karim, Ibn Saud, and Amanullah Khan, might conclude that it was a direct product of the Great War. Closer enquiry however would show that this is not so. Since the beginning of the present century, at any rate, there had been indications of a new spirit stirring the ‘dry bones’, and the old well worn clichés, such as the ‘Unchanging East’, ‘the Sick Man of Europe’, ‘the dreamy speculative Oriental’, had begun to lose their significance.

The idea of nationalism is essentially western in origin, and derives its existence in the East from the impact of Western civilisation.

In Japan it found a kindly soil, and quickly took firm root. After the Russo-Japanese war of 1904 it spread rapidly throughout the East. For the apparent moral of Japan’s victory was that the West was no longer invincible, and had no monopoly of efficiency. An Oriental people organised on the model of a Western nation could become a first class power. This doctrine came to the East with the force of a revelation, and, in the case of the Moslem peoples, gained publicity from the Italian expedition to Tripoli in 1911, and the Balkan War of 1912. These campaigns were widely denounced as the prelude to a general offensive by the West upon the East; and consequently the organisation of the Eastern peoples on a national system, which Japan had already proved to be possible, now came to be preached as an actual necessity of their existence. The Persian reforms of 1906, the revolution in Turkey with the establishment of the Committee of Union and Progress in 1908, and the ‘new air’ which had reached India by 1907, were all symptomatic of the movement, which, owing to a variety of causes, received a marked impetus during the Great War.

**2. Impetus given to Nationalism by the Great War.**—The war itself was a clash between rival nationalities, and its continuance for four years was only rendered possible by the high pitch of efficiency reached by nations organised on the Western model. It could thus be regarded, according to the observer’s individual point of view, as either the condemnation or the triumph of nationalism. The idealists of the West, recoiling in horror from nationalism as the motive power of the War, attempted to divert its energy towards an international association devised to make all war impossible. To the practical politicians of the East, however, it was the amazing efficiency of the national organisation as a war machine which appealed most strongly; while the aims of the League were suspected, and it was denounced in the Oriental press as a new menace from the West requiring to be met by a counter league of Eastern nations. There were other factors which served to give the movement scope for expansion, and to increase the fervour of its adherents. The collapse of the Russian Empire offered to the Central Asian races a prospect of recovering their lost independence, and the catchwords of Bolshevism, with the doctrine of ‘self-determination’, seemed to provide nationalist sentiment with a scientific basis.<sup>2</sup>

At the close of the War however the strength of the movement was not immediately apparent. The predominance of the Allied Powers in the East was so complete that the future development of its peoples seemed to be merely a matter for the decision of Western statesmen. But very soon the necessity of retrenchment, war weariness among their troops, and mutual jealousy of each

<sup>1</sup>Report of the Rowlatt Sedition Committee (Ch. XI).

<sup>2</sup>Pra. 57.

other, began to take effect, and to cause the Allies, willingly or unwillingly, to relax their grip :—

‘ British troops in Trans-Caucasia and Mesopotamia, and French troops in Cilicia, elanoured to be demobilised ; French sailors in the Black Sea refused to operate against the Bolsheviks ; Italian reinforcements refused to embark for Albania, not to speak of the Central Desert of Anatolia which Italian diplomats had worked so hard to acquire for their countrymen ; and there had been a growing opposition in the press and the Parliaments. Confessions about the strength of the respective military forces in the East, their casualties, their cost of maintenance, and about the budgets of the civil administration in the occupied territories, had been wrung out of unwilling Governments, and subjected to unanswerable criticisms’.<sup>1</sup>

Thus, by the time the Turkish National Pact was signed on January 28, 1920, not only was nationalism widely recognised as an ideal throughout the Near and Middle East, but also many of the obstacles to its realisation were being swept away. Not that the movement had yet permeated the masses. The labourer in the East is too absorbed in the struggle for existence to spare much time for the assimilation of political ideals, even if he were sufficiently educated to grasp their meaning :—

‘ The common people can only think of their temporary and apparent advantages, and do not understand their permanent and real advantages’.<sup>2</sup>

At present, therefore, except perhaps in Japan, nationalism probably means little to anyone outside the comparatively narrow circle of the intelligentsia in each Eastern country. But in Afghanistan, at any rate, it is being preached by this class with all the fervour of recent converts, and seems likely before long to make good its hold on the consciousness of the people at large.

For the first few years of Amanullah’s reign ‘ Independence ’ was perhaps the most hard-worked word in the language. Not only was Afghanistan itself stridently ‘ independent ’, but so also, with considerable inconvenience as the practical result, were the Departments of Government, ‘ the Independent Postal Department,’ ‘ the Independent Medical Department,’ and so on—their official titles ran ; and they did their best to deserve them.

In 1927 Sir F. Humphrys wrote that

‘ From the King downwards to the nomad camel driver, who swaggers through the bazaars of India and Central Asia, the breath of the nostrils of the Afghans is independence.’<sup>3</sup>

The proneness of the Afghan politician to interpret even the most trivial incidents, of international relations in terms of ‘ independence ’ is frequently bewildering to the European mind.

**3. The attitude of the Allied Governments towards Eastern Nationalism.**—The policy of the Allied Powers towards the nationalist movement, at the close of the War, gave little indication that they realised its significance as a natural force, demanding scientific study, and practical consideration. In Angora it was opposed until its triumph assured ; in Syria it was first suppressed and then encouraged by the French ; in Persia and Afghanistan, if it was not actually ignored, its vitality was only tardily realised.

In Delhi it was perhaps easier than in London to appreciate the significance of the movement ; and, during the negotiations precedent to the Anglo-Afghan Treaty, the Government of India had frequently to sound a warning that, so long as Amanullah Khan was in power, the idea of a return to the old system, under which Great Britain controlled Afghan foreign relations, was illusory :—

‘ Prospect of Afghans consenting formally to our control of their foreign relations is nil, and we could not ever hope to enforce such control without running the constant risk of war. Moreover we are not placed in any stronger position by a paper control of foreign relations. The only real sanction of such a condition is war.’<sup>4</sup>

So too in Persia, when His Majesty’s Government, on the assumption that the collapse of Russia had removed the only serious obstacle to the establishment of British predominance, were about to formulate the abortive Anglo-Persian agreement :—

‘ His Majesty’s Government will remember that Government of India have always regarded as unfortunate a policy which caused Great Britain to appear unsympathetic to the Persian Nationalists, and have pressed for a change of policy.’<sup>5</sup>

In Mesopotamia, Palestine, the Hedjaz, and India, on the other hand, Nationalism was deliberately fostered. Even in these instances, however, the results

<sup>1</sup>The Western Question in Greece and Turkey, A. J. Toynbee, p. 59.

<sup>2</sup>Written Statement by S. Mahmud Tarzi (A. S. V. 1).

<sup>3</sup>Kabul despatch 23 (21-2-1927).

<sup>4</sup>Tel 788 (27-6-20) from Viceroy to S. of S. (Progs. Jan. 1921, 56).

<sup>5</sup>Tel. 22 P. S. V. (26-12-1917) from Viceroy to S. of S. (Progs. September 1918, 127).

have seldom corresponded to the aims of its sponsors ; for the movement, although thriving both on repression and on encouragement, seems to follow racial lines of cleavage, for which due allowance has not always been made.

Thus in Palestine the immediate result of the Balfour declaration was acute tension between the Jew and Arab sections of the population ; while in India the pronouncement of August 20th, 1917, so far from giving birth to a nation, as was hoped, has up to the present greatly accentuated racial discord between Hindus and Moslems.<sup>1</sup>

**4. Lord Curzon's views on the subject.**—In view of the influence which the late Lord Curzon is understood to have exercised on British policy in the East on the close of the Great War particular interest attaches to a speech made by him to the Central Asian Society on July 3, 1924 :—

' That was the situation twenty-five years ago. What is the situation now ? There has never been twenty-five years in the history of the world, in which such a tremendous change has been produced in the state of affairs of a great Continent. Take Turkey : the Sultan gone, the Caliph gone, a set of sham republics set up which is merely a disguise for military despotism. Under this system she is making experiments of independence and hostility to the outside world, by which she and she alone will be the sufferer..... Then take Persia, which exists for the moment, held together by the hand of a rather strong man, but with an absentee sovereign, whom she does not seem particularly desirous to welcome back to the country, sinking deeper and deeper into the mire of destitution and feebleness. Khiva has gone ; Bokhara has gone ; Afghanistan, it is true, still exists as a kingdom but with a dynasty liable, as you know, to great personal vicissitudes..... What is all this due to ? I think it has been due in the main to two causes. In the first place it is due to the existence of the grotesque illusion that parliamentary institutions which are essentially the outcome of Western thought and ideas are suitable to Eastern peoples. The decay of Asia began on the very day which saw the introduction of parliamentary institutions. It is not an exaggeration ; it is a profound truth that I speak. Take the National Assembly at Angora—a body which affects to be not only a legislative assembly but to have executive powers, but which is being very properly put in its place by Kemal Pasha..... In the second place the decay of Asia is due to an aggressive spirit of nationalism, which has received a great impetus from the War partly racial in its origin, partly religious, and partly political, which has led these people to believe that they are not only as good as we, but better '.

This speech carries less conviction than is usual with Lord Curzon, and inevitably raises more questions than it answers. Is the picture of Persia under Reza Khan true to facts ? Can the ferment which Lord Curzon so vividly depicts be described, within the ordinary meaning of language, as a symptom of decay ? If the mainspring of the movement is a senseless mimicry of the Western Parliamentary system, why do Reza Khan, Kemal Pasha and Amanullah allow their parliaments as little freedom of action as they do ? Lord Curzon it may be noticed omits to mention Japan.

Neither his diagnosis of the condition of Asia, nor his statement of the causes which have induced that condition, has been confirmed by subsequent developments ; for, whether Eastern Nationalism is a temporary or a permanent phenomenon, few of those who have had first hand experience of its existence in the countries mentioned will deny that, for the time being at any rate, it is a vitalising rather than an enervating influence.

**5. The conflict between Nationalism and Orthodox Islam.**—As might be expected from its Western origin, the motive force of nationalism in the East is modernist and secular, and, when it gets free play, often comes into conflict with the rigid tenets of Islam.

**6. The Pan-Islamic movement.**—Nor is the Pan-Islamic movement evidence to the contrary. It is true that it was supported by Angora and Afghanistan simultaneously with their ardent pursuit of the nationalist ideal. The Pan-Islamic movement itself, however, as distinct from the doctrine of Moslem brotherhood, is actually political rather than religious in origin. Its foundation by Sultan Abdul Hamid and its revival in the recent ' Khilafat ' agitation, were both inspired by political,<sup>2</sup> rather than religious, motives. As regards the aims of its non-Moslem supporters, one need only cite the Ex-Kaiser's famous message to the ' Emperor of the Saracens ', and the encourage-

<sup>1</sup>NOTE.—Racial not religious :—' Hindus and Mussalmans are not two religious sects like the Protestants and Catholics in England, but form two distinct communities or peoples '.

(Sir Abdur Rahim, Address to Moslem League).

<sup>2</sup> Most of the leaders of the non-co-operation movement are notoriously irresponsible agitators of questionable antecedents, the sincerity of whose motives there is every reason to question.

<sup>3</sup> There are some who have frankly and openly confessed to me that they do not care a brass farthing for the Khilafat '.

ment given to the movement by the present Russian Government. But since fanaticism is more powerful than patriotism in its appeal to the masses of the East, the Oriental statesman frequently finds it necessary to popularise his programme by giving it a religious colouring.

So Angora saw in Pan-Islam a means of rousing Moslem sentiment, and thereby bringing pressure to bear upon the Allies, particularly Great Britain, in the peace negotiations. But Mustapha Kemal's treatment of the Khulafat, as soon as the agitation had served its purpose, and had begun to embarrass the national development of Turkey, shows how little weight really attached to the religious factor.

Similarly in Afghanistan it secured the support of the Amir, because it offered him an opportunity for silencing doubts as to his own orthodoxy, and by advertising his influence both in Central Asia, and among the tribes of the Indo-Afghan frontier, for convincing his two non-Moslem neighbours of the value of his friendship.

**7. Nationalism v. Orthodoxy in Afghanistan.**—The aim of the present Amir's policy is the self-determination of the Afghan people, as a single nation, on the lines of Western civilisation and progress. Consequently it is not surprising to find that in spite of his parade of Islamic unity,<sup>1</sup> and lip service to orthodoxy, the eight years of his reign have witnessed a series of conflicts and compromises between State and Church :—

' I have had many occasions of observing his contempt for fanaticism and his passionate desire for the progress of his country on modern lines. It appears however that circumstances are still too strong for him to enforce his personal wishes '<sup>2</sup>

In order to reach the throne he had to overcome the opposition of the Mullahs and the frontier tribes, personified in his uncle Nasrullah. Within two months of his accession he found his position again threatened, and, in order to save himself, had to appeal to the fanaticism of his subjects by the declaration of a holy war. His authority once more established, he plunged into a programme of reforms on Western lines only to find himself again confronted with a hostile combination of the reactionary Mullahs and tribesmen. In the extremity of his need he went to extraordinary lengths in his compromise with fanaticism, abandoning even the principle of religious toleration which had been his particular boast.

**8. The Amir's task.**—Self-determination demands, as the conditions for its achievement, independence, security and national unity. The Amir has obtained his independence, but it would be rash to prophesy how far he will succeed in maintaining his present frontiers intact, and in organising a single civilised nation out of the miscellaneous collection of tribes which they now contain. He has learnt from experience the difficulty of applying American principles to Afghanistan. On the Indo-Afghan frontier for instance, he demanded a plebiscite of the tribes urging their community of race, language and religion with the Afghan people as entitling them to self-determination, but soon found that on his northern frontier the Soviet Government were turning his own argument against him, and by the establishment of Soviets on a racial basis—Uzbekistan, and Turkmenistan—were threatening his kingdom with disintegration. The problems of nationalism in Afghanistan are in fact so difficult that Professor Toynbee, writing in 1915, pronounced them insoluble :—

' During the last thirty-four years the Government of Kabul has maintained itself by British support in the interests of the Indian Empire ; its slow petrifaction, which, from the point of view of British diplomacy, has been such a satisfactory sign of the growing stability of the situation, has become in its subjects' eyes a patent indication of its bankruptcy..... Sooner or later the explosion is bound to come, and, if it is to discharge itself harmlessly into the air, Great Britain and Russia must arrive at a frank understanding as to how they will dispose of the ruins. It is possible that the eventual dismantling of Afghanistan is already the subject of a secret treaty between the two powers ; but if it is not, it is an essential measure of precaution that they shall provide for it by a public treaty in some such terms as these :—

- (1) Since Afghanistan is merely a geographical area, corresponding to no national reality, it is expedient that, so soon as the present Government becomes incapable of discharging its functions, the territory should be partitioned between neighbouring States capable of governing it efficiently '<sup>3</sup>

Truly, as Lord Curzon has remarked, ' prophesying in Asia has always been a dangerous thing.'<sup>4</sup>

<sup>1</sup>As in the Treaties with Turkey and Persia (paras. 720—722).

<sup>2</sup>Kabul despatch 12 (14-2-25) (A. S. XVII, 160).

<sup>3</sup>Nationality and the War. A. J. Toynbee.

<sup>4</sup>Address to the Central Asian Society, July 3, 1924.

## CHAPTER II.

### THE SITUATION IN INDIA.

#### A.—THE INTERNAL SITUATION.

9. **The pronouncement of Aug. 20, 1917.**—The enthusiastic appreciation shown by the Government and people of Great Britain of India's attitude at the outbreak of war had aroused in the minds of Indian politicians a 'lively expectation of favours to come'. But the war dragged on, and these hopes had been deferred. Lord Chelmsford came to India in 1916, with the conviction that the time had arrived to announce publicly the attitude of the British Government towards Indian aspirations.<sup>1</sup> This announcement was made by the Secretary of State for India on August 20, 1917 :—

'The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions, with a view to the progressive realisation of responsible government in India as an integral part of the British Empire.'

This declaration marked, not so much an advance upon the principle underlying the Morley Minto Reforms, as a departure from it.

\* It must be remembered that at the time these Reforms were passed, Lord Morley had expressly disclaimed any suggestion that he was setting up a Parliamentary system of Government..... The whole work of the framers of the Montagu-Chelmsford Report depended upon the assumption that Parliamentary Government was India's inevitable destiny.<sup>2</sup>

And this 'assumption' was clearly based upon another, *viz.*, that national unity existed, or could be created, in India, where since the beginning of history it had been unknown. There were still, however, many Indian politicians who felt a doubt whether, when Great Britain emerged from the war, the Montagu-Chelmsford report would really be put into effect; and whether, when the moment of danger was past, Indian aspirations would not be overlooked.

10. **The Rowlatt Report.**—These apprehensions were heightened by the publication of the Rowlatt Report in April 1918, and by the news that the Government intended to introduce bills, in pursuance of the recommendations of this Report, in the Legislative Council early in 1919. In place of the trust and gratitude which India had been led to expect, a policy of repression appeared to be in prospect.

11. **The Khilafat.**—Another disturbing factor was the agitation regarding the Khilafat and the Holy Places. Turkey had been granted an armistice on Oct. 30, 1918, but the peace terms were not yet known. Rumours however of her impending dismemberment were rife, and were exploited by the seditionist leaders to excite the fanaticism of the masses. The resulting agitation was carefully fostered for political purposes by the Angoran and Russian Governments. The dangers of the political situation were further enhanced by economic distress consequent on high prices, and the deficiency of the 1918 monsoon.

12. **The disturbances of April 1919.**—On March 1, 1919, Mr. Gandhi issued his declaration of passive resistance in the event of the Rowlatt Bills being passed, and on April 6th a general 'hartal' was observed. Disturbances broke out at once in various parts of the country, culminating, on April 13th, in the tragedy, at Amritsar, of the Jallianwala Bagh. The details of the Indian crisis were reported to Kabul by Afghan agents, and, as we know, lost nothing in the telling.<sup>3</sup> The effect of this intelligence upon Amanullah Khan must be borne in mind in appreciating the causes of the Third Afghan War.

#### B.—THE SITUATION ON THE FRONTIER.

13. **The outbreak of War, 1914.**—The outbreak of War in 1914 called forth expressions of loyalty and offers of service from the principal Chiefs and leading men of the N. W. F. Province and Baluchistan, as well as from the tribes of the Khyber and Tochi agencies, the people of Swat, the Mehtar of Chitral,

<sup>1</sup>Lord Crewe's speech in the House of Lords, Dec. 12, 1919.

<sup>2</sup>Report of the Administration of Lord Chelmsford, p. 58.

<sup>3</sup>Para. 41.

the Khan of Kalat, and others. The alliance of Turkey with the Central Powers was however a constant source of anxiety throughout the war, and afforded an easy pretext to the Mullahs for exciting the fanaticism of the Tribes.

**14. The Malakand.**—The efforts of the Sandaki Mullah to raise the tribes of Upper Swat resulted, in August 1915, in attacks on Chakdara, and in disturbances in Buner. The trouble was however localised, and proved to be transitory.

**15. Mohmands.**—The Chaknawar Mullah in April 1915 led a force of Afghans into Mohmand territory, and on April 17th was repulsed at Hafiz Khor with a loss of some 150 men. The Amir informed Lord Hardinge that he had made every effort to prevent his subjects joining in this raid.

In August 1915 the Babra Mulla preached '*jehad*' in Mohmand country, and succeeded in raising a lashkar, but was defeated with heavy loss on September 5 and October 4. In September 1916 the Mohmands broke out again in protest against the suspension of their allowances, and a blockade was established along the border from Michni to Abazai. The tribe eventually submitted, and the troops were withdrawn in September 1917.

**16. Afridis.**—In 1915 there had been some intrigue by the anti-British party in Kabul among the Afridis. The latter's allowances were doubled in 1915, and, although there were instances of individual misbehaviour, the tribe as a whole remained staunch and friendly. In March 1917 the Kuki Khels expelled Turkish emissaries from Tirah, while similar action was taken in November of the same year by the Kambar Kel.

**17. Mahsuds.**—The successors of the Mulla Powindah, with Lala Pir of Khost and Mulla Hamzullah, were responsible for some agitation in Waziristan during the early years of the war. In 1916-17 the Mahsuds committed a number of depredations, including a serious raid in Zhob. In February 1917 Mulla Fazl Din succeeded in collecting a lashkar for an attack on Sarwakai, and repulsed a party of militia which advanced against him. Sarwakai was relieved by the Derajat Moveable Column, but, on the retirement of this force, attacks on convoys were renewed, and by May a large force of all Mahsud sections was on the offensive in the Gomal valley. An engagement at Khuzma Sar resulted in our retirement on Sarwakai. The despatch of a field force led to a settlement in August, and in September the tribe's allowances were restored.

**18. Baluchistan.**—Soon after the outbreak of war German intrigue in Mekran began to take effect, and in April 1915 Mullah Khan Muhammad, the 'Khalifa', raised the standard of '*jehad*', and attacked Jask and Charbar without success. Assisted by Behram Khan of Bampur he advanced on Santsar and Gwadar, but was repulsed. In September Behram Khan drove the Nazim of Mekran into Tump, and looted the countryside.

It was not until January 1918 however that any serious disturbance occurred in British Baluchistan. The recruiting campaign then appears to have unsettled the Maris who broke into rebellion. Gumbaz was attacked in February, the Kholu Tahsil and the levy thana at Hosri were burnt, and raids made on defenceless villages. In March the Khetrans joined the rebels, and a punitive force had to be despatched to deal with the situation. The Maris attacked Fort Munro in force, but were repulsed, and in May, together with the Khetrans, tendered their submission.

**19. General.**—A survey of the situation at the close of the Great War gave the Government of India and the Frontier Administrations ample cause for gratification. The Militias had proved staunch, and, with certain exceptions, the tribes had withheld both the inducements of enemy emissaries and the incitements of their own Mullahs. Where trouble had occurred, it had been promptly and firmly suppressed. It was just when all danger appeared to be over that the existing system of Frontier defence was destined to be tried more highly than ever before, and to emerge not unscathed from the ordeal,

### CHAPTER III.

#### THE SITUATION IN AFGHANISTAN.

20. **Leading personages, January 1919.**—Brief details may be given of the leading characters on the Kabul stage at the beginning of the year 1919 :—

- (1) *Amir Habibullah Khan*, born 1871. Succeeded his father, Amir Abdur Rahman Khan, on the latter's death on October 3, 1901. Had visited India in 1907. His admiration for European civilisation, dress and customs, gave rise to a saying in Kabul, that the English had managed by witchcraft to remove his soul, and to replace it by one of their own nationality. In his later years he had become profligate in his private expenditure, and sunk in debauchery.
- (2) *Sardar Nasrullah Khan*.—Full brother of the Amir Habibullah Khan. Appointed 'Naib-us-Sultanat' (i.e., Viceroy) in 1905. He subsequently retired from public life, dressed as an Arab, and applied for permission to go to Mecca on pilgrimage which was refused. He lost influence, but was later reconciled to Amir Habibullah. Writing in 1913 the British Agent said :—'He has the whole priestly class at his back, and the Itimad-ud-Dauleh (Abdul Quddus) and the conservative party on his side.' Certain of his duties were then distributed among Inayatullah, Hayatullah, and Amanullah; while he appears to have become estranged from Abdul Quddus. He however still retained a position of great dignity, and much of his former influence with the Mullahs and Tribes.
- (3) *Inayatullah Khan* ('Muin-us-Sultanat'), eldest son of Amir Habibullah Khan by the Ulya Jan, was born in 1888, and visited India in 1904. Married a daughter of S. Mahmud Khan Tarzi. Intelligent and dignified, with pleasant manners, but easy going, and without ambition.
- (4) *Hayatullah Khan* ('Asad-ud-Daulat'), second son of Amir Habibullah Khan by a Chitrali wife. Born 1888. Held charge of Kabul on several occasions as Governor, but displayed little capacity. He was now an obese nonentity, with no organised party at his back.
- (5) *Amanullah Khan* ('Ain-ud-Daulat'), third son of Amir Habibullah Khan by the Ulya Hazrat. Born 1892. Married a daughter of S. Mahmud Khan Tarzi. Had shown ability and keenness in the various posts which he had held, and in the winter of 1918-19 was Governor of Kabul.
- (6) *Ulya Hazrat*.—A member of the powerful 'Loinab' family. The chief wife of Amir Habibullah Khan. A woman of great influence and force of character. She had frequent quarrels with her husband on account of her own interference in politics, and his habits of debauchery. A strong supporter of her son Amanullah Khan. In February 1919 she was at Jalalabad, and her half brother Loinab Khushdil Khan at Kandahar, as Governor.
- (7) *Sardar Mahmud Khan Tarzi*.—A member of the 'Kandahar' branch of the Muhammadzais. Was exiled by Abdur Rahman Khan and retired to Damascus, where he married a Turkish wife. Returned to Kabul on the accession of Amir Habibullah, and became the leader of the advanced party, advocating external independence and internal reform. Wielded great influence both as father-in-law of Inayatullah Khan and Amanullah Khan, and as Editor of the 'Siraj-ul-Akbar'. An astute politician, obsessed with the ideal of Afghan independence.
- (8) *Sardar Abdul Quddus Khan* ('Itimad-ud-Daulat'), nephew of Amir Dost Muhammad Khan. Born about 1845. Returned from exile with Amir Abdur Rahman Khan. Captured Herat in 1881 from Ayub Khan, and conquered the Hazarajat in 1891. His great

reputation appears to have aroused the jealousy of Sardar Nasrullah Khan, by whom his position was being steadily undermined. Like Sardar Nasrullah Khan, a staunch conservative.

- (9) *Muhammad Sarwar Khan*.—Step father of the Ulya Hazrat. Appointed Naib-ul-Hukuma of Turkestan by Amir Abdur Rahman, but retired. Under Amir Habibullah Khan was successively Governor of Kabul and of Herat. In 1917 was appointed Assistant to Amanullah Khan.
- (10) *Ali Ahmad Khan*, son of Loinab Khushdil Khan, and nephew of the Ulya Hazrat. Born about 1883, and educated in India. Accompanied Amir Habibullah Khan to India in 1907. Had considerable influence with Amir Habibullah Khan, but got into trouble through his corruption and indolence. Was at Jalalabad in February 1919. Plausible, but with little independence of judgment.

- (11) *The Musahiban Family* (Sultan Muhammad Khel).—The most able, educated, and influential family in the country consisting of the two brothers, Muhammad Asaf and Muhammad Yusuf, with their sons. They were all with one or two exceptions at Jalalabad in February 1919 :—

- (i) *Muhammad Asaf Khan* } ‘Musahiban-i-Khas’ and in high favour. Well educated and intelligent. Supported Amir Habibullah in his attitude of neutrality during the war. Opponents of the conservative party under Sardars Abdul Quddus and Nasrullah.
- (ii) *Muhammad Yusuf Khan* }
- (iii) *Ahmed Shah Khan*, son of Muhammad Asaf Khan. Accompanied Amir Habibullah to India. Was commanding the guard on the Amir’s tent in Laghman on the night of 19-20 February 1919.
- (iv) *Suleiman Khan*, son of Muhammad Asaf Khan. Military Secretary to Amir Habibullah Khan. Appointed Governor of Herat in March 1915 and was still there in February 1919.
- (v) *Nadir Khan*, second son of Muhammad Yusuf Khan. In command during the Mangal campaign of 1912. Commander-in-Chief (Sipah Salar), 1914. Able and well educated, but believed to be physically timid, and was unpopular with the army.
- (vi) *Hashim Khan*, third son of Muhammad Yusuf Khan. Accompanied Amir Habibullah to India in 1907. Appointed Naib Salar of Herat 1916. A man of considerable force of character. A good commander, less showy than Shah Wali Khan and more straightforward than Nadir Khan.
- (vii) *Shah Wali Khan*, fourth son of Muhammad Yusuf Khan. Rikab bashi to Amir Habibullah Khan whom he accompanied to India in 1907. Commanded the Rikabi bodyguard. Of the ‘beau sabreur’ type, with apparently little beneath his dashing exterior.
- (viii) *Muhammad Jan* (Shah Mahmud), sixth son of Muhammad Yusuf Khan. Appointed ‘Sar Sarios’ in 1917.

21. **Nationalism in Afghanistan.**—The nationalist movement in Afghanistan may be dated from the return of S. Mahmud Tarzi from Damascus.<sup>1</sup> Its complexion was strongly Turkish, as for instance in its opposition to fanaticism and its liberal attitude towards the emancipation of women ; and the close relations into which Amanullah subsequently entered with the leaders of the Union and Progress party, Jemal and Enver Pashas, confirmed this tendency.

In 1909 the existence of a society in Kabul, called the “Sir-i-Milli”, had been detected and its leaders punished. The choice of the word “Milli” (‘national’) is in itself significant. The movement, however, fostered by the influences already mentioned as operative throughout the East,<sup>2</sup> gathered strength during the War.

22. **The Progressives.**—Its champion S. Mahmud Tarzi, had special facilities, as father-in-law of Inayatullah and Amanullah, for making his views known at court. These, as editor of the ‘Siraj-ul-Akhbar’, he preached, in season

<sup>1</sup>Para. 20 (7).

<sup>2</sup>Ch. 1.

and out, with constant attacks on Great Britain ; not, as he has plausibly explained, because of any constitutional antipathy to the British, but because British control formed the single obstacle to the achievement of his life's ideal, the independence of Afghanistan. His influence as leader of the 'Young Afghan Party' was reinforced by the propaganda emanating from the foreign internees and the Turco-German Mission, who urged that Afghanistan in remaining neutral, and declining to take advantage of Great Britain's difficulties, was throwing away a unique opportunity. Such arguments must have found many ready listeners in Kabul.

**23. The Conservatives and Moderates.**—To the Conservatives, led by Sardars Abdul Quddus and Nasrullah Khan, and dominated by the Mullahs, Afghan neutrality appeared as a betrayal of Turkey and the Islamic cause. Even the Moderates, like the Sultan Muhammad Khel, who were believed to favour the British connection, can have found little to admire in a ruler who neglected the administration, and spent most of his time—and a large proportion of the State revenues—in private indulgence.

**24. Amir Habibullah generally unpopular.**—As early as 1913 the British Agent had reported :—'His Majesty the Amir is sitting on a volcano which may burst out at any moment' and, although the remark might be applied to most rulers of Afghanistan, it is clear that by the close of 1918 the Amir Habibullah Khan had, in a special sense, lost the confidence of his people.

**25. Amir Habibullah's policy.**—The Amir seems to have realised that the only hope of regaining the ground he had lost lay in the achievement of Afghan independence. As regards the end in view, he was at one with his opponents, but while they held that the best means to that end was treacherous attack on an ally, he steadily adhered to his policy of obtaining it as a reward for loyal observance in the spirit, if not in the letter, of his engagements to the Government of India.

For although on January 24, 1916, he had actually put his signature to a draft Treaty of alliance with Germany, he had, in the face of great pressure to the contrary, maintained the neutrality of Afghanistan.

In May 1916 he had asked that a representative of Afghanistan should take part in the Peace Conference, but was told that the request was premature.

In India, although the value of the Amir's loyalty was fully recognized, the urgency of his need was not. At the Delhi Conference of 1918, Lord Chelmsford said :—

'I do not believe that in the history of this country the relations between any Amir of Afghanistan and any Viceroy have been more cordial or mutually confident than they are to-day..... One of our first thoughts therefore at this time must be how we can best assist the Amir of Afghanistan who has, in the interests of his country which he loves, and in accordance with the pledges which he has given, kept his ship on a straight course of neutrality. We can I believe best do so by showing our enemies first that India stands solid as rock.....second, that should ever our enemy have the hardihood to bring force in the direction of our borders we are ready with munitions and men to fulfil our obligations to the Amir of Afghanistan by assisting him in repelling foreign aggression.'

But the real danger to the Amir was from within Afghanistan, not from without.

**26. Amir Habibullah's letter of February 2, 1919.**—Now that the war was over he decided that the time had come to claim his reward, and to vindicate his policy to his people. On February 2, 1919, he wrote to the Viceroy, demanding written recognition by the Peace Conference of Afghanistan's 'absolute liberty, freedom of action, and perpetual independence'.

The Foreign Secretary noted :—

'The Amir's letter..... bears out Your Excellency's surmise that the Amir's foremost ambition is emancipation from British control of foreign relations. This surmise, which was based (among other evidence) on the Amir's request in 1916 for representation at the Peace Conference, on certain apparently inspired articles in the "Siraj-ul-Akbar", and (most significant of all) on the Amir's draft treaty with Germany, is probably correct..... Our control of Afghanistan's foreign relations has been so long the fundamental principle of our Afghan policy that it requires an effort of mind to conceive of our ever willingly consenting to any diminution of it. Possibly it may prove essential that it should continue to dominate our policy. But the present is so different from the past, and the future seems likely to be so much more different still, that the time has come for us to scrutinise our traditional policy

anew. That policy stood both ourselves and Afghanistan in good stead, in a past very critical for us both. It enabled ourselves to set a barrier between India and the menace of imperialistic Russia ; without it Afghanistan could not have withstood Russia's steady encroachment. .... .... Again our Afghan policy has issued so triumphantly from the crucial test of war, that the burden of proof lies heavily indeed on the man who would adumbrate even the mere possibility of a change in it. .... .... But the points I would make are these. First, it is at least conceivable that we could have anchored the Amir equally effectively by an Alliance or Treaty which did not include the humiliating subordination of Afghanistan's external policy to our pleasure. And secondly, there is the crude fact that in the all-important crisis of war, that subordination became a dead letter, and that we were obliged to acquiesce without a protest. .... .... I confess to a mistrust of a blind insistence on the retention of ancient Engagements which we are no longer prepared in the last resort to enforce. In the old days of the Russian menace, we were so prepared. To-day we are not. .... .... Now even in 1905 His Majesty's Government though "well content that the present system should be maintained as long as possible", were prepared if necessary to go so far as to allow direct relations between Russia and Afghanistan on local matters;<sup>1</sup> in 1907 they explicitly provided for such direct relations in the Anglo-Russian Convention.<sup>2</sup> Coming to the war, we seem almost forced by what happened at Kabul to the conclusion that we should have got on just as well with a general Treaty of Alliance, guaranteeing Afghanistan's independence so long as she entered into no Engagements directly or indirectly prejudicial to our interests. At the present juncture it looks as if all we want is a similar Treaty, providing further that Afghanistan shall embark on no external dealings likely to embroil her. As for the future, it is at least arguable that some such Treaty might be devised which. .... .... would adequately safeguard our interests without the insertion of a stipulation which reduces Afghanistan to something precious like a British Protectorate. So galling is this stipulation to the Amir's *amour propre* that it is a constant obstacle to real friendliness between us. If then we can secure our purpose without it, we stand to gain by getting rid of it. .... .... All I now venture to urge is that a blind, unquestioning faith in traditional policy should not lead us to refuse off-hand what to him may seem to be the substance and what to us may prove to be the shadow.'<sup>3</sup>

The upshot of this note was—

' that we should have to make a virtue of necessity and give way with good grace.'<sup>4</sup>  
but below it, dated four days later, is another :—

' His Excellency has seen this note but it is already out of date with Habibullah's death.'

<sup>1</sup> Progs. July 1905 (61—72).

<sup>2</sup> Article III (Afghanistan Section).

<sup>3</sup> Minute by Sir D. Bray 22-2-1919 (Progs. Oct. 1920, n. pp. 3—6).

<sup>4</sup> Lord Chelmsford's Minute on Afghan policy (28-3-1921).

## CHAPTER IV.

### NARRATIVE OF EVENTS.

27. **The death of Amir Habibullah.**—In February 1919, Amir Habibullah Khan was touring in the Laghman district. In the early hours of February 20, he was shot dead in his camp at Qala-i-gush.

Nasrullah Khan, most of the 'Musahiban' family (including the Commander-in-Chief, Nadir Khan), Inayatullah, and the Ulya Hazrat had accompanied the Amir on his tour to Jalalabad, and were some of them at that place, and others in the royal camp itself.

Amanullah was at Kabul as Governor, but under orders of relief by Hayatullah, who had actually left Jalalabad to take over charge.

On the death of the Amir the latter was immediately recalled to Jalalabad.<sup>1</sup>

With Amanullah in Kabul were Abdul Quddus ('Itimad-ud-Daulat') and Fateh Mohamed Khan ('Amin-ul-asas').

28. **The succession to the throne.**—The succession lay between :—

- (1) Nasrullah, representing the Conservative orthodox party, supported by the Mullahs, and consequently influential with the Tribes, and
- (2) Amanullah, as yet an unknown quantity, but sure of backing from the Progressives under Mahmud Tarzi, and from the powerful Loinab family, to which his mother the Ulya Hazrat belonged.

It soon became clear that Inayatullah and Hayatullah stood for nothing but themselves, and lacked the force of character necessary to make good their personal claims.

On the morning of February 20, the body of the Amir was brought secretly to Jalalabad and buried at sunset the same day.

29. **Accession of Nasrullah.**—Nasrullah, acclaimed Amir by a council of the late Amir's sons and leading officials present at Jalalabad, immediately communicated the fact of his accession to the Viceroy. On February 21, a public Darbar was held at which, led by Inayatullah, the members of the royal family present and the leading officials, including the Commander-in-Chief Nadir Khan and Ali Ahmad Khan, the Ishak Aghasi, accepted Nasrullah as Amir. This turn of events was popular with the Mullahs and the tribes.<sup>2</sup>

The first measure of the new Amir was to bid for the support of the Army by raising the monthly pay of the soldier from eight to eleven rupees. On February 23, the Afghan Envoy telegraphed the news of Nasrullah's accession<sup>3</sup> to the Government of India.

30. **The question of the recognition of Nasrullah as Amir.**—The Government of India proposed to the Secretary of State that, in reply to Nasrullah's *murasila* of February 20, they should accord him recognition as Amir :—

'None of his letter is friendly and unexceptionable, though more reserved than Habibullah's. Of course it is possible (as suggested in Peshawar reports repeated last night) that his accession may be challenged, but this is rendered highly improbable by the completeness of the *fait accompli*. In any case it would be dangerous to hold up our acknowledgment. Our wants are a peaceful succession, and a friendly Amir. If the former were hanging in the balance the scale might be turned by delay ; it would almost certainly cost us Nasrullah's friendship.'<sup>4</sup>

The Secretary of State replied on March 1, to the effect that recognition should be deferred until it was known that Nasrullah had established himself. But by that date Nasrullah had already fallen.

31. **The fall of Nasrullah.**—Nasrullah's position was never a very strong one, and he weakened it by mistakes. Although 'the heart of the kingdom was

<sup>1</sup>Letter from British Agent, Kabul, to G. of I. (23-2-1919) (Progs. June 1919, 3S).

<sup>2</sup>Tel. No. 562-R., from N.-W. F., to G. of I. (25-2-19) (*ibid.*, 25).

<sup>3</sup>*Ibid.*, 15.

<sup>4</sup>Tel. No. 212-S. (25-2-1919), from Viceroy to S. of S. (*ibid.*, 26).

in Amanullah's hands, the capital, the treasury, the centre of the army, the arms factory, the arsenal, and the officials of the State<sup>1</sup>, Nasrullah spent the vitally important days following his accession in mourning for the late Amir.

Instead of trying to bluff Amanullah out of his position—possibly a forlorn hope, but the only one—by ordering Hayatullah to proceed to Kabul immediately, and take over the Governorship in accordance with previous arrangements, he recalled Hayatullah to Jalalabad.

Lastly, although in view of her probable support of the claims of her son, Amanullah, it was clearly advisable to detain the Ulya Hazrat under surveillance in Jalalabad, no sooner had Amanullah, on February 26, proclaimed himself Amir than she was allowed to proceed to Kabul, and join him.<sup>2</sup>

Profiting by these mistakes Amanullah showed not only that he held all the cards, but also that he had the nerve to play them. By offering the army twenty rupees as pay he outbid Nasrullah, and further discredited him by denouncing his failure to investigate the murder of the late Amir. Although he could have had little in common with Abdul Quddus, Amariullah was astute enough to appoint him Prime Minister, thereby detaching a section of the Conservatives from Nasrullah. The family of the 'Musahiban', it is true, had given their allegiance to Nasrullah, but even during the one short week of his ascendancy, they appear to have been in secret negotiation with Amanullah, since the British Agent in his account of the Darbar of April 13, remarks :—

" Muhammad Nadir Khan \* \* \* was admired greatly for the secret help and the messages he sent from Jalalabad to the new Amir at Kabul during the Amirship of Nasrullah Khan ".<sup>3</sup>

Fired by Amanullah's offer of increased pay and his denunciations of Nasrullah's inactivity, the Jalalabad troops rose, and acclaiming Amanullah Amir, arrested the 'Musahiban' family. Nasrullah fled in terror to the palace, and on February 27, realising too late the strength of Amanullah's position and the weakness of his own, wrote to Amanullah making his submission. Inayatullah and Hayatullah had deserted the sinking ship the day before.

**32. Accession of Amanullah.**—On March 1, the British Agent telegraphed that official intimation had been received of Nasrullah's submission, and of the proclamation of Amanullah as Amir by the Jalalabad troops.<sup>4</sup>

On March 3 and 4, the prisoners, including Nasrullah and Nadir Khan, were sent under arrest to Kabul. Inayatullah and Hayatullah do not appear to have been placed under restraint.<sup>5</sup>

It is reasonable to find in the success of Amanullah not merely the reward of superior tactics, but also an illustration of the broad fact already noticed<sup>6</sup> that the impulse behind recent movements in the East is nationalist rather than religious in character, and that when the two forces come into conflict the advantage lies with nationalism. In the present instance the issue was clearly indicated by the Chief Commissioner, N. W. F. Province who, telegraphing on March 2, 1919, remarked :—

" Mullahs are still keen on Nasrullah, but it is towards Amanullah that the army and people have turned. "

**33. The Government of India misinformed.**—Like Nasrullah, although with considerably more excuse, the Government of India, as has been seen, underestimated the strength of Amanullah's position. The reason for their error lay in their lack of intelligent information from within Afghanistan. The British Agent was an Indian, Khan Bahadur Hafiz Saifullah Khan. He was closely watched, and had little opportunity for gleaning news except from 'inspired' sources. His diaries are a farrago of rumours and facts, and show little capacity for sifting evidence or drawing conclusions.

British intelligence officers, on the other hand, lacked the essential advantage of being on the spot, and had to rely on local agents.

<sup>1</sup>A Review of the political situation in Central Asia (Abdul Ghani), p. 100.

<sup>2</sup>Tel. (26-2-1919), from British Agent, Kabul, to G. of I. (Progs. June 1919, 35).

<sup>3</sup>Ibid., 154.

<sup>4</sup>Ibid., 42.

<sup>5</sup>Tel. 659-R. (6-3-1919), from N.-W. F., to G. of I. (*ibid.*, 87).

<sup>6</sup>Para. 5.

<sup>7</sup>Tel. 617-R. (2-3-1919), from N.-W. F., to G. of I. (Progs. June 1919, 51).

**34. Amanullah intimates his accession to the Viceroy.**—On March 3, Amanullah wrote to the Viceroy intimating his accession. The letter concluded :—

‘ Nor let this remain unknown to that friend that our independent and free Government of Afghanistan considers itself ready and prepared, at every time and season, to conclude, with due regard to every consideration for the requirements of friendship and the like, such agreements and treaties with the mighty Government of England as may be useful and serviceable, in the way of commercial gains and advantages, to our Government and yours.’<sup>1</sup>

**35. His Proclamation.**—The wording of this letter gave an indication of the future trend of Amanullah’s policy, and confirmation of it was afforded in the proclamation sent by him to the Afghan Envoy on March 11, in which the following passage occurs :—

‘ O nation with a sense of honour ! O brave army ! While my great nation were putting the crown of the kingdom on my head, I declared to you with a loud voice that I would accept the crown and throne, only on the condition that you should all co-operate with me in my thoughts and ideas. These I explained to you at the time, and I repeat here a summary thereof :—First that the Government of Afghanistan should be internally and externally independent and free, that is to say, that all rights of Government, that are possessed by other independent Powers of the world, should be possessed in their entirety by Afghanistan ’.

Again it is significant to note that this proclamation is addressed to the ‘ nation ’ and the ‘ army ’, who are each formally invoked three times in the course of it. The Mullahs, as such, are not addressed at all.<sup>2</sup>

**36. The Viceroy’s reply to the Amir’s letter.**—The Government of India proposed to reply to Amanullah’s letter of March 3, in terms which took ‘ his acceptance of existing conditions for granted, forcing the first move into the open upon him.’<sup>3</sup> The Secretary of State made some modifications in the Government of India’s draft dealing with this delicate point, and the relevant passage in the reply sent read as follows :—

‘ You say moreover that the Government of Afghanistan considers itself ready, at every time and season, to conclude, with due regard to the requirements of friendship, such agreements and treaties with the British Government as may be to the commercial advantage of the two Governments. From this it seems possible that the commercial requirements of Afghanistan are thought to call for some agreement with the British Government, subsidiary to the treaties and engagements above mentioned.’<sup>4</sup>

In this letter, with the concurrence of the Secretary of State, Amanullah was addressed as ‘ Amir Amanullah Khan, Amir of Afghanistan and its dependencies ’, but the style of ‘ His Majesty ’ was not used.

**37. Amanullah accepted in Afghanistan as Amir.**—The country as a whole accepted the new régime more quietly than might have been expected. Except at Kandahar, where the Loinab Khushdil Khan, half brother of the Ulya Hazrat, staunchly supported Amanullah, all Governors were replaced by the latter’s partisans. At Herat, where two members of the ‘ Musahiban family ’, Suleman Khan and Hashim Khan, were Governor and General, respectively, there were rumours of a revolt, but these proved untrue. An attempt made by the Amir to retain Suleman Khan in office however failed, owing to the feeling aroused against the family on account of their reputed complicity in the murder of Habibullah Khan.<sup>5</sup>

**38. The Kabul Darbar of April 13, 1919.**—On April 13, a Darbar was held at which the Amir read out the evidence regarding the murder of his father, and announced the result of his investigations. Objections were invited, but needless to say none were made. The proceedings were clearly farcical as the findings had been previously reached in a secret council ‘ which included a certain number of trusted courtiers and the members of the royal family ’. Nasrullah Khan was convicted of instigating the crime, and sentenced to imprisonment for life. Colonel Shah Ali Raza was held to be the actual murderer, sentenced to death, and bayoneted at the conclusion of the Darbar. Less important persons were awarded varying terms of imprisonment. The

<sup>1</sup> Progs. June 1919, 98.

<sup>2</sup> *Ibid.*, 121.

<sup>3</sup> Tel. No. 360-S. (23-3-1919), from Viceroy, to S. of S. (*ibid.*, 124).

<sup>4</sup> Kharita 1 Po. A. (15-4-1919), from Viceroy, to Amir (*ibid.*, 122).

<sup>5</sup> Tel. 111-C. (10-5-1919), from C. G., Meshed, to G. of I. (Progs. July 1919, 163).

members of the Musahiban family, who had been arrested, were honourably acquitted and restored to favour.<sup>1</sup>

**39. The question of Amanullah's complicity in the murder of Amir Habibullah Khan.**—A consideration of the circumstances attending the death of Amir Habibullah Khan makes it almost impossible to resist the conclusion, that, if Amanullah was not himself cognisant of the plot, it was at any rate hatched by his partisans. The reasons for this view may be briefly stated:—

- (1) Amanullah was on February 20, 1920, in command of the Arsenal and Treasury at Kabul. Within one or two days he would have been superseded by Hayatullah.
- (2) The army was convinced of the guilt of the 'Musahiban' family, and Kabul gossip has persistently pointed to Ahmad Shah, a son of Asaf Khan,<sup>2</sup> as the actual murderer. The members of the 'Musahiban' family were, as has been noticed, in secret communication with Amanullah directly after the murder, and at the earliest possible moment he restored them to favour; obviously risking thereby the disaffection of the Army, which actually followed.
- (3) The Ulya Hazrat was known to have been incensed with Amir Habibullah Khan, at the time of his death, owing to his gross debauchery.
- (4) Dr. Abdul Ghani, himself a leader of the Young Afghan Party, who was released from prison by Amanullah shortly after his accession, evidently regarded the murder as a political one, inspired by laudable motives.<sup>3</sup> Amanullah made no secret of his patronage of this party.

These considerations must have been in every Afghan's mind, and were an important factor in the situation which ensued upon the Darbar of April 13. As early as April 16, the British Agent reported:—

'It is a belief held by a certain class that the plot of the murder of the late Amir is as under:—

That the murder was premeditated by, and originated with, the present Amir and his mother, that the family of 'Musahiban' participated in the plot, and that it was so devised as to throw the blame on Nasrullah, as has actually been done, so as to gain the throne for Amanullah and ruin both the late Amir and Nasrullah'.<sup>4</sup>

The reinstatement of the Musahiban family alienated the Army, while the Mullahs and the Tribes, who had both been ignored in the Amir's proclamation of March 11, resented the condemnation of their champion Nasrullah.

Discontent appears to have spread rapidly, since by April 25, the Amir's name was reported to have been omitted from the 'Khuba' at Kandahar, on the grounds that he and the Muhammadzais cared nothing for the fate of the Holy Cities.<sup>5</sup>

**40. Jihad the remedy.**—The problem before the Amir was how to distract the attention and recall the wavering loyalty of his army by some dramatic action, which would also appeal to the fanaticism of the Mullahs and the crudity of the Tribes. He found the solution in a Holy War on British India.

April 13, 1919 is one of the most momentous dates in recent Indian history. It was the day of the Kabul Darbar, and so marked the beginning of the Amir's difficulties, from which he sought a desperate means of escape in war. It also saw the tragedy of the Jalianwala Bagh, and there is ample evidence to show that it was the exaggerated accounts of the Punjab disturbances, received from his agents in India, which confirmed the Amir in his hazardous resolve.

**41. The Amir's plans.**—His plan seems to have been to raise the Tribes by sending Afghan troops to various points on the Frontier; one force under Saleh Muhammad to Dakka, a second under Nadir Khan to Khost, and a third under Abdul Quddus to Kandahar; and, while avoiding pitched battles, to foment a rebellion in the Frontier districts through his agents, the most active of whom was Ghulam Haider, the Afghan Postmaster at Peshawar.

<sup>1</sup>Letter 123-K. (16-4-1919), from British Agent, to G. of I. (Progs. June 1919, 154).

<sup>2</sup>Para. 20 (11-iii).

<sup>3</sup>A Review of the political situation in Central Asia, pp. 95-96.

<sup>4</sup>Letter 123-K. (16-4-1919), from British Agent, to G. of I. (Progs. June 1919, 154).

<sup>5</sup>Tei. 862-S. (8-5-1919), from A. G. G., Baln., to G. of I. (Progs. July 1919, 63).

A few extracts from the correspondence seized by the North-West Frontier authorities make this clear :—

(1) ‘ The English themselves are distracted in mind on account of the European War, and have not the strength to attack the Afghans. The people of India too are much dissatisfied with the English on account of their oppression and tyranny. The people of India will never hesitate in raising a revolt, if they can find an opportunity, as their hearts are bleeding at their hands ’. \* \* \*

(Amir’s endorsement) ‘ Seen. You will try your best to keep us informed of affairs of this sort ’.<sup>1</sup>

(2) ‘ The printed proclamations will make clear to you the situation. Do not let the opportunity slip out of your hands. Please obtain deeds of allegiance in the name of His Majesty Amir Amanullah Khan from Hindus and Mussulmans \* \* \* Maulana Obeidullah is with the armies in the Eastern direction ’.<sup>2</sup>

(3) ‘ The Provisional Government has entered into a compact with the invading forces. Hence you should not destroy your real interest by fighting against them, but kill the English in every possible way.’<sup>3</sup>

**42. Outbreak of the Third Afghan War.**—It is unnecessary to describe in much detail the tragic absurdity known as the “Third Afghan War”, and a brief outline will suffice.

Its outbreak is always stated by Afghan officials to have been due to “misunderstanding” :—

‘ Had the Chief British Representative been acquainted with all the circumstances, he would have attributed this war not to the causes referred to, but to misunderstandings and thoughtlessness on the part of incompetent officers on both sides of the frontier, and would not have held the Afghan Government and the Amir responsible for it ’.<sup>4</sup>

There is reason to believe, as has been mentioned<sup>5</sup>, that the main object of the Amir in despatching his troops to the Frontier was to distract their attention from domestic politics, and that the Afghan Commanders had orders to avoid regular hostilities until the expected rebellion matured in India. Saleh Muhammad, the Commander-in-Chief, seems to have exceeded these orders by taking the offensive at Bagh, and so provoking the British counter-attack before any rising had taken place in Peshawar. The fact that he was removed from his command seems to support this view.

To this extent the War may be admitted to have been due to ‘ misunderstandings’,—on the part of the Amir or of Saleh Muhammad.

The active military operations fall naturally into two periods :—

- (1) May 3 to 24, i.e., from the arrival of Zar Shah in the Khyber to the bombing of Kabul.
- (2) May 25 to June 3, from the withdrawal of the Upper Tochi posts to the Armistice.

**43. The first period.**—The first period was one of uniformly successful operations, mainly in the Khyber area, marred only by the collapse of the Khyber Rifles, who had to be disbanded on May 19.<sup>6</sup>

On May 3, a detachment of this corps, escorting a caravan on the undemarcated sector of the Khyber frontier near Torkham, came into contact with Zar Shah, a Ningrahari raider, with some Afghan irregulars.<sup>7</sup> The next day Zar Shah displayed a *farman*, purporting to emanate from the Amir, which contained a clear incitement to *jehad*. The Amir was invited to disavow Zar Shah and the *farman*,<sup>8</sup> but in his reply, which was not received until May 17, made no pretence of doing so.<sup>9</sup>

<sup>1</sup>Letter from Ghulam Haidar (2-3-1919), to Amir.

<sup>2</sup>Letter (29-4-1919), from S. Mahmud Tarzi, to S. Abdur Rahman Khan, Afghan Envoy with the G. of I. (Maulana Obeidullah, the author of the notorious “silk letters”, was a leading Indian revolutionary who had taken refuge in Kabul.)

<sup>3</sup>Manifesto found at Thal signed by Obeidullah, Wazir of the ‘ Provisional Government of India.’

<sup>4</sup>Proceedings of the 2nd meeting of the Rawalpindi Conference (29-7-1919) (Progs., Oct. 1920, 79D.).

<sup>5</sup>Para. 41.

<sup>6</sup>Tel. 1382, (19-5-1919), from N.-W. F., to G. of I. (Progs., July 1919, 225).

<sup>7</sup>Tel. 1236, (3-5-1919), from N.-W. F., to G. of I. (*ibid.*, 3).

<sup>8</sup>Tel. 547-S., (4-5-1919), from G. of I., to P. A., Khyber. (*ibid.*, 9).

<sup>9</sup>Tel. 1369-R., (17-5-1919), from N.-W. F., to G. of I. (*ibid.*, 203).

On May 3, Afghan regulars occupied Bagh and the heights above Landi Kotal.

On May 8 a cordon was drawn round Peshawar city, the Afghan Post Master Ghulam Haider, who had been busily fomenting rebellion, arrested with his adherents, and martial law proclaimed.<sup>1</sup>

The expulsion of the Afghan forces from Bagh, and the occupation of Dakka followed (May 13).

On May 14 Saleh Muhammad, the Afghan Commander-in-Chief, asked for a cessation of hostilities, but was told that if the Amir wished for peace he would have to sue for it.

An advance into Chitral limits was successfully repulsed by the Chitral Scouts and Mehtar's body guard.

**44. Advance to Jalalabad proposed and sanctioned.**—On May 15, the Viceroy proposed to the Secretary of State that an advance should be made to Jalalabad.

'Jalalabad lies within four marches of Dakka and its occupation by our troops would :—

- (a) demonstrate our military superiority to the frontier tribes as well as the disloyal elements in India ;
- (b) limit the war to one between ourselves and Amanullah's forces ;
- (c) encourage the pro-British party in Afghanistan ;
- (d) afford provision for a good advanced base, where our troops could rest in readiness for a campaign in the autumn against Kabul, should that be necessary ;
- (e) enable the supplies and resources of the Jalalabad plain to be utilised by us.'<sup>2</sup>

The Secretary of State viewed the proposal with some misgivings, but after discussion in which the Government of India adhered to their views, and explained that the occupation of Jalalabad might make any further advance unnecessary, sanction to it was accorded.<sup>3</sup>

**45. British successes.**—On May 21, the Afghan Envoy made overtures to the General Officer Commanding at Dakka ; but was informed that the Amir should order a return of his troops to their peace stations, as a necessary preliminary to the cessation of military operations.<sup>4</sup>

Meanwhile Jalalabad was bombed from the air, and abandoned in panic by its garrison and most of the inhabitants. The town was thereupon thoroughly looted by the Mohmands.

In Chitral the Mehtar reported an advance by his forces across the Bashgal River.

On May 24 a British aeroplane flew to Kabul, and bombed the Amir's palace and the ammunition factory.

This demonstration that the capital of Afghanistan was within reach of aircraft operating from a base in India produced a profound impression, and went far to break the Afghan morale.

On the same day the Chief Commissioner reviewing the general position on the frontier reported—

'Political situation improves every day.'<sup>5</sup>

So ended the first period, in which operations were confined to Chitral and the Khyber sector, and marked by consistent success.

**46. The second period.**—The picture now shows a startling change. With the advance of Nadir Khan through Khost, the main effort of the Government of India was necessarily diverted to the stabilisation of the situation in Thal and Waziristan, and nothing more is heard of an advance to Jalalabad.

Nadir Khan, who had been ordered to Khost<sup>6</sup> seems to have left Kabul on April 23rd. His subsequent movements were very dilatory, and it was not until

<sup>1</sup>Para. 703.

<sup>2</sup>Tel. 6623, (15-5-1919), from Viceroy, to S. of S. (Progs., Aug. 1919, 244.)

<sup>3</sup>Tel. 2053, (17-5-1919), from S. of S., to Viceroy.

Tel. 698-S., (21-5-1919), from Viceroy, to S. of S.

Tel. 2138, (23-5-1919), from S. of S., to Viceroy. (*ibid.*, 248, 253, 259).

<sup>4</sup>Tel. 7015, (21-5-1919), from G. of I., to N.-W. F. (*ibid.*, 27).

<sup>5</sup>Tel. 1440-R., (24-5-1919), from N.-W. F., to G. of I. (*ibid.*, 293).

<sup>6</sup>Para. 41.

May 19, that he reached Matum. On the 23rd he advanced down the Kaitu, and on the 27th invested Thal.

On May 19 the Political Agent, Kurram, had reported the situation to be 'generally threatening'.<sup>1</sup>

On April 15, the Political Agent, Tochi, had telegraphed :—

'This morning a petition was given me, written on 13th, by representatives of Madda Khel jirga. They implore Government to go up to the Durand Line, saying that Amir's army will come down, and will compel Madda Khel to fight against Government; but that if troops go up to the border, invasion of the country will be prevented, and Madda Khel will in every way support the troops'.<sup>2</sup>

The Chief Commissioner, N. W. F. P., repeating this telegram, merely remarked 'I do not recommend the proposal.'

On May 21 the Chief Commissioner, reported that orders had been issued for the evacuation of all the Tochi posts above Miranshah, and of Sarwekai and the Gomal posts, as soon as it became clear that they could not be held without reinforcements, which could not in any case be sent.<sup>3</sup>

Telegram No. 1461 of 26th May 1919, from the Chief Commissioner, N. W. F. Province, marks the turning point of the war :—

'Acting apparently on his own initiative, and against wish of Political Agent, whom he may not have been able to consult, General Officer Commanding, Tochi, withdrew garrisons of all posts in Upper Tochi and on Thal Idak line. Upper posts were occupied immediately and burnt by Mahsuds and Wazirs, and Spinwam was occupied by Afghans ..... Political situation in southern half of Province has in one night gone from "set fair" to "stormy", and we must prepare for possible eventuality of a general Mahsud and Wazir rising which may spread to Sherani, Bhittani, and possibly to Zhob.'<sup>4</sup>

**47. The collapse in Waziristan.**—These apprehensions were speedily fulfilled :—

'Inevitable result of abandonment of Tochi posts on Northern Waziristan Militia has occurred. They have up to date been quite staunch and keen, but they, and the tribes, consider our sudden retirement is a great victory for Afghan forces, and do not believe reports of our success on Khyber and Mohmand fronts. It is reported that Militia at Miranshah are very restless and excited, and garrison of many posts deserting. Miranshah sarai burnt. No further details yet. Telegram from Wazirforce :—*Begus.....* 6 hours 27th instant Wana retiring to Zhob and Sarwekai to Murtaza..... Message ends. Thus we have lost all Waziristan and Miranshah to Bannu road which is seriously threatened.'<sup>5</sup>

The evacuation of the Upper Tochi and Gomal posts was the signal for the mutiny of the Wazir element in the North and South Waziristan Militias.

**48. The collapse in Zhob.**—The Waziristan collapse reacted immediately on Zhob, of which the northern areas were overrun by Wazirs and Sheranis.<sup>6</sup> Fort Sandeman itself was attacked and a part of the bazar burnt. Desertions from the Zhob militia became numerous. On the other side of the account have to be placed the storming, on May 27, of Spin Baldak fort from Chaman, with heavy casualties to the enemy, and the expulsion of Nadir Khan from Thal.

**49. The Amir sues for peace.**—On May 28 a letter was received from the Amir, ascribing the outbreak of war to a misunderstanding, and stating that Saleh Muhammad's operations on the Khyber front had been purely defensive in intention. The first overtures for peace, the letter went on to suggest, had come from the Foreign Secretary in conversation with the Envoy, Abdur Rahman Khan. The Amir complained of the air bombardment of Kabul and Jalalabad, as unjustifiable acts of aggression, but was nevertheless prepared to be magnanimous, and had issued orders, of which he enclosed a specimen, to his Generals for the cessation of hostilities.<sup>7</sup>

**50. Cessation of operations against Afghan regular troops. June 3.**—There were no further operations against Afghan troops, although the Waziristan tribes continued to raid heavily and attack posts.

<sup>1</sup>Tel. 1397 (19-5-1919), from N.W. F., to G. of I. (Progs., July 1919, 232).

<sup>2</sup>Tel. 155, (15-5-1919), from P. A., Tochi, to G. of I. (*ibid.*, 185).

<sup>3</sup>Tel. 1364, (16-5-1919), from N.W. F., to G. of I. (*ibid.*, 195).

<sup>4</sup>Tel. 1410-R, (21-5-1919). (Progs., Aug. 1919, 13.)

<sup>5</sup>*Ibid.*, 87.

<sup>6</sup>Tel. 1470, (27-5-1919), from N.-W. F., to G. of I. (*ibid.*, 96).

<sup>7</sup>Tel. F.-89, (12-6-1919), from A. G. G., Balm., to G. of I. (*ibid.*, 244).

<sup>8</sup>*Ibid.*, 140.

On the Khyber sector the Shahgassi Khwaja Muhammad Khan began to intrigue with the Afridis ; and in Khost Nadir Khan continued to incite the tribes to give trouble, and assured them of Afghan support. On the Baluchistan frontier Abdul Quddus followed the same tactics, and at intervals addressed interminable treatises on the world situation to the British Commander.

**51. The Armistice Terms.**—The Viceroy replied to the Amir in a letter refuting his version of the causes of the war, and stating the terms on which an armistice would be granted. These were briefly :—

- (1) Withdrawal of Afghan troops to a distance of 20 miles from the nearest British force ;
- (2) British forces to remain in present positions ;
- (3) British aeroplanes to have freedom of movement over Afghan territory for purposes of reconnaissance ;
- (4) Messages to be sent urgently to the tribes, informing them that they should cease hostilities, and that further aggressive action on their part would not be countenanced by the Amir.<sup>1</sup>

The terms of peace would, it was intimated, be arranged at a conference to be held at Rawalpindi.

The Secretary of State commented on this reply as follows :—

' Your desire for early termination of hostilities is shared by us, but we would have preferred to couch first three paragraphs of Your Excellency's letter in language which would have recognised more effectively gravity of Amir's conduct, and shown less willingness to condone an offence for which there cannot be any excuse. We should have feared that unexpected clemency might be mistaken for conscious weakness. In certain particulars terms of armistice also seem to us open to criticism. '<sup>2</sup>

**52. The Government of India's reasons for leniency.**—The Government of India stated eight grounds in defence of their action. As these are the official reasons for the abandonment of active operations, before a decision had been reached in the field, they may be quoted in full :—

' Following considerations prompted us :—

- (1) Having demonstrated our strength and intentions, having inflicted punishment on Afghan troops, on Jalalabad and Kabul, and having received from Amir a prayer for peace, we consider it politic to terminate hostilities at earliest possible moment, consistent with maintenance of our prestige.
- (2) If Afghanistan now drops out humiliated, tribal situation will at once cool, and we shall be left with comparatively simple proposition to deal with piecemeal at our own time.
- (3) Whole frontier is in condition of acute tension. Already it is blazing from Zhob to Kurram, and, if war continues indefinitely, conflagration may spread from sea to Pamirs, with inevitable reaction on internal India.
- (4) Our troops are exposed at this season to intolerable heat, and most unhealthy conditions.
- (5) Continuance of war involves large and constant demands on you for technical troops and material of all kinds.
- (6) Had our reply to Amir's letter been delayed, he would have concluded that we were implacably determined on war and would grant no peace. Probably he would have been led to cancel his orders to his Generals suspending hostilities, and would have taken further aggressive action thereby forcing on us indefinite prolongation of war.
- (7) Although Amanullah has been guilty of criminal folly, and begun badly, so long as he remains *de facto* ruler there is no alternative but to accept him and to treat with him. Futility of attempting to force ruler of our own choosing on Afghan people has been shown by history. Fall of Amanullah would probably mean chaos and anarchy, leaving us no stable Government with whom to make arrangements, and reacting seriously on whole frontier situation.
- (8) This appeared an excellent opportunity to show Moslem community in India that, in spite of ample justification, we have no wish to wipe out or trample

<sup>1</sup>No. 3-P.O.A., (3-6-1919), from Viceroy, to the Amir. (Progs., Aug. 1919, 189.)

<sup>2</sup>Tel. from S. of S., to Viceroy, (5-6-1919). (*ibid.*, 190.)

on neighbouring Moslem State as such. Line taken by us is best answer to prevalent calumny that present British policy is to destroy Islam. \* \* \* If there is any idea of imposing drastic conditions or exacting heavy reparation.....for that purpose we must indefinitely continue war and at least advance and occupy Kabul and Kandahar.<sup>1</sup>

It is instructive to compare the tone of this telegram with that of the arguments used by the Government of India, three weeks before, to secure the sanction of the Secretary of State to the occupation of Jalalabad, with the possibility of a further advance to Kabul. There it had been stated :—

' Not until we are in occupation of Jalalabad will the Afghans realise our overwhelming military superiority and it is in such realisation that our one real guarantee against repetition of the trouble lies. '<sup>2</sup>

The contrast was noticed by the Secretary of State, who, in telegraphing his acquiescence to the armistice terms, pointed out that the only suggestions of a possible advance to Kabul had come from the Government of India.<sup>3</sup>

The explanation of this sudden change of attitude on the part of the Government of India is to be sought in the new factors, which had appeared since the advance to Jalalabad had been proposed :—

- (a) The Amir had sued for peace. Before this had occurred the problem had been purely military in character, and the end in view simply the infliction of a decisive defeat upon the enemy. Now however that peace was in prospect, the wider political issues indicated in the Viceroy's telegram of June 9 demanded consideration. The Government of India seeing no profit, but rather loss, in a victory, which would in all probability mean the disintegration of Afghanistan and the loss of the buffer between India and Russian aggression, were anxious to secure peace at the earliest possible opportunity.
- (b) Nadir Khan's advance on Thal had led to the evacuation of the Upper Tochi, which, in its turn, had involved the collapse of the Frontier defence organisation in Waziristan and Zhob. In order to carry out the relief of Thal it had been found necessary to divert transport from the Khyber front. There was in any case owing to the drainage of the Great War a great shortage of transport animals, and to collect those required for an advance to Jalalabad after Nadir Khan's attack had been repulsed would have greatly prolonged the military operations.<sup>4</sup> As it was, the cost of these was £16,500,000.<sup>5</sup>

**53. The Amir agrees to send delegates to Rawalpindi.**—The Amir replied objecting to the terms of the armistice, and pretending to misunderstand them. He then agreed to Rawalpindi as the venue for the Peace Conference, and named the following as members of the Afghan delegation :—

- (1) Ali Ahmad Khan, President;<sup>6</sup>
- (2) Muhammad Yunus Khan (formerly a favourite of Amir Habibullah Khan); and
- (3) Ghulam Muhammad Khan—Minister of Commerce.
- (4) Abdul Aziz Khan, ex-Envoy to the Government of India.
- (5) Muhammad Rafik Khan, a Muhammadzai who had lived in India for many years, and accompanied Amir Habibullah to India and Herat.
- (6) Dr. Abdul Ghani an Indian from Gujerat. Author of 'A Review of the political situation in Central Asia.' He had been imprisoned for complicity in the 'Sir-i-Milli' plot of 1909,<sup>7</sup> by Amir Habibullah and released by Amir Amanullah in April 1919. He was a prominent member of the 'Young Afghan' party.

<sup>1</sup>Tel. 837, (9-6-1919), from Viceroy, to S. of S. (Progs. Aug. 1919, 211.)

<sup>2</sup>Tel. 698, (21-5-1919). (*ibid.* 20).

<sup>3</sup>Tel. (11-6-1919), from S. of S., to Viceroy (*ibid.* 245).

<sup>4</sup>As a result of the steady drain on the resources of India since 1914, stocks of electric and railway plant and other stores.....had been reduced to the lowest ebb.....animal transport had been exploited to the uttermost and the reserve of animals left in the country had sunk very low. The supply of mules had been completely exhausted.....there was also a shortage of camels'. Official Account of the Third Afghan War 1919, pp. 20-21.

<sup>5</sup>Tel. 439-M.O.I., (28-1-21), from C. G. S., to Br. Rep., Kabul, (A. S. IV. 782).

<sup>6</sup>Para. 20 (10).

<sup>7</sup>Para. 21.

- (7) Diwan Niranjan Das. A wealthy Punjabi Hindu, formerly Accountant General in Kabul.
- (8) Abdul Hadi Khan, Chief Clerk.
- (9) Ghulam Muhammad Khan, Mir Munshi.

Commenting on this letter the Government of India said 'After careful analysis.....we regard it as satisfactory'. In his draft reply His Excellency proposed to explain the points which the Amir had appeared to misunderstand, and to insist on the fulfilment of the fourth term regarding the issue of warnings to the tribes.

'On the understanding that you do this I shall be glad to issue orders for the reception at Rawalpindi of your delegates.'<sup>1</sup>

The Secretary of State telegraphed in reply :—

'His Majesty's Government are glad to learn that you find it possible to place favourable interpretation on Amir's letter. To us its general purport appears much more questionable, while tone of certain passages struck us as defiant'.

As to the first term he went on to say :—

'Question of precise distance from our lines to which Afghan troops should be required to withdraw is one that may be left to military authorities, but in any case it must be made essential condition that all Afghan troops shall be withdrawn from our side of Durand Line. This should be plainly stated in your letter to Amir. You should also make it plain to him that no further modifications of Armistice conditions will be permitted.'<sup>2</sup>

A reply to the Amir was sent accordingly.<sup>3</sup>

The Amir then requested the withdrawal of all British forces within the Indian frontier,<sup>4</sup> but this suggestion was held to have been sufficiently answered by the Viceroy's letter, which it had crossed.

**54. The Government of India propose a Treaty 'in two chapters'.**—To a request from the Secretary of State to be informed of the proposed terms of peace, the Government of India replied in a very important telegram which outlined a programme by which a Treaty for the restoration of peace, to be arranged immediately, should be followed by a probationary period of six months in which the Amir should show the sincerity of his intentions. When this period had elapsed and the Amir had fulfilled the necessary conditions, a 'Treaty of Friendship' was to be concluded :—

'What is wanted by us is an early peace, by which our sense of outrage at Amir's wanton aggression will be made clear to Afghans, and to world generally, but which, at same time, will not close door to establishment of friendly relations with Afghanistan, namely, exclusion of foreign—especially hostile foreign—influences, coupled with friendly co-operation on our common border. We therefore propose to demand acceptance of following Treaty by Amir :—

*Begins :—Following Articles for restoration of peace have been agreed upon by British Government and Amir Amanulla Khan, Amir of Afghanistan and its Dependencies :—*

#### ARTICLE 1.

From day of signing of this Treaty there shall be peace between British Government, on the one part, and Amir of Afghanistan, on the other.

#### ARTICLE 2.

In view of wanton and unprovoked aggression of Amir, which has brought about present war between the British Government and Afghanistan, British Government, to mark their displeasure, withdraw the privilege enjoyed by former Amirs of importing arms, ammunition, or warlike munitions through India to Afghanistan.

#### ARTICLE 3.

The arrears of the late Amir's subsidy are furthermore confiscated, and no subsidy is granted to Amir Amanulla Khan.

<sup>1</sup>Tel. 888 (16-6-1919), from Viceroy, to S. of S. (Progs., Aug. 1919, 277.)

<sup>2</sup>Tel. (19-6-1919), from S. of S., to Viceroy. (*Ibid.*, 295.)

<sup>3</sup>Tel. 912 (21-6-1919), from G. of I., to Ch. Pol. Officer. (*Ibid.*, 305.)

<sup>4</sup>Tel. 16 (26-6-1919), from Ch. Pol. Officer, to G. of I. (*Ibid.*, 342.)

## ARTICLE 4.

At same time British Government are desirous of re-establishment of old friendship that has so long existed between Afghanistan and Great Britain, provided they have guarantees that Amir is contrite for the past, and on his part anxious to regain the friendship of the British Government. The British Government are prepared, therefore, provided Amir proves this by his acts and conduct, to receive another Afghan mission, after six months, for discussion and settlement of matters of common interest to the two Governments, and re-establishment of old friendship on satisfactory basis.

## ARTICLE 5.

Until that friendship has been re-established in manner indicated in last Article, the British troops will remain in their present position in Afghan territory, west of undemarcated frontier in vicinity of Khyber, where Afghan aggression took place, both as further token of displeasure of British Government and as safeguard against repetition of similar aggression. The British troops now in occupation of Spin Boldak and other portions of Afghan territory will be withdrawn forthwith. *Ends.*

At the same time our representatives should be given discretion to present to Afghan delegates a written statement of the matters in which the Amir is expected by us to give proof of his contrition and desire for friendship, during probationary period of six months. These are :—

- (1) That he should dismiss from his country all hostile foreigners, in particular Bolshevik missions and Bolshevik, German, or other foreign, agents.
- (2) That he should have no relations with foreign countries, and that he should conduct his foreign relations, as heretofore, through us.
- (3) The expulsion of Obeidullah and other named Indian seditionists.
- (4) Genuine co-operation in keeping peace on our common border, including removal of outlaws and notorious raiders, and abstention from all intrigue with our tribes directed against us.
- (5) The improvement of position of British Agent in Kabul and of our representatives in Afghanistan, admitting of their free movement and free intercourse with Afghan officials.
- (6) A corresponding improvement in powers and position of Afghan Envoy with the Government of India.

To deal with the situation on these lines offers, in our belief, best chance of obtaining what we want in Afghanistan. If these proposals are accepted in principle by His Majesty's Government, we trust they will leave our representatives a free hand, under our orders, as regards actual tactics to be employed, on understanding that they keep us fully informed of each stage of proceedings, which information we shall of course pass on to His Majesty's Government without delay. We would propose that our representatives should give Afghans a definite time limit for acceptance of Treaty. But much must depend upon spirit in which they come. If they come in arrogant spirit, our attitude in response would be the firmer. But if they evince becoming anxiety for friendship to be renewed, our representatives might informally hold out hopes that at the end of six months they may expect favourable terms, should Amir's conduct be satisfactory. We feel it right, however, to strike a note of warning regarding Article 5 of the draft Treaty above. It is in deference to the emphatic opinion of our military advisers that it has been included. We recognise, however, that this Article (especially in view of Amir's letter of 19th June, *vide* our telegram No. 945-S, dated 27th June) may be impossible of acceptance by Amir and lead to breakdown of negotiations. Further, there are obvious political objections to the occupation of Dakka being prolonged. It will act as an irritant, not only on the Afghans, but on our own Afridis and Mohmands, possibly necessitating operations against both tribes. Should our diffidence in the matter be shared by His Majesty's Government, we should propose the following alternative to Article 5 :—

*Begins.*—The Amir accepts the Indo-Afghan frontier accepted by his late father, His Majesty Amir Habibulla Khan. He further agrees to the early demarcation by a British Commission of the undemarcated portion of the line west of the Khyber, where the recent Afghan aggression took place, and to accept such boundary as the British Commission may lay down. The British troops on this side will remain in their present positions until such demarcation has been effected. *Ends.*

If this alternative is preferred, we suggest that our representatives should explain to the Afghan representatives that it is intended merely to lay down a frontier on this side which can leave no doubt as to our right to the Bagh springs and Torkham, and

which gives us elbow-room generally round the western mouth of the Khyber ; and that we have no intention of using this as a pretext for the annexation of Dakka.<sup>1</sup>

**55. The Amir's 'compliance' with the Armistice Terms.**—The Amir's next letter dated June 29th stated that he had carried out the first term of the armistice, except at Chaman and the Peiwar, where he had reduced the distance of removal to 10 miles. Reconnaissance by aeroplanes was objected to as likely to provoke hostility, and the visits of tribesmen to the camps of Afghan Commanders explained as a request for asylum and protection by refugees. These were ' trifles ' however compared with the establishment of friendship :—

' We recognize ';

the Government of India remarked,

' That Amir has not complied strictly with the letter of the armistice terms particularly term 4, yet we believe that our wisest course is to make the best of his letter, and to ask him at once to send in his delegates '<sup>2</sup>

The Secretary of State concurred, adding a reminder that His Majesty's Government would not allow any modification of the armistice terms.<sup>3</sup>

**56. The Secretary of State's proposals for a Treaty.**—To the Government of India's proposals for a treaty of peace, with a six months probationary period supervening before the conclusion of a treaty of friendship, the Secretary of State raised several objections, and, while agreeing to the proposed probationary period before a subsidy could be granted, or importation of arms allowed, stated his preference for a single treaty to include the following articles :—

- ' (1) Amir will hold no political relations with any foreign power except British Government. He will follow unreservedly the advice of the British Government, in regard to his relations with all foreign powers.
- ' (2) If any foreign power should attempt to interfere in Afghanistan, and if such interference should lead to unprovoked aggression on dominions of Amir, the British Government will be prepared to support Amir against such aggression, to such extent as may appear to them necessary, and in such manner as they may deem advisable.
- ' (3) The Government of India will at no time exercise interference in territories lying beyond their frontier on the side of Afghanistan, and the Amir will at no time exercise interference in territories beyond this line on the side of India. The tribes on the Afghan side of the frontier shall not receive allowances from the British Government, and the tribes on the Indian side of the frontier shall not receive allowances from the Afghan authorities.
- ' (4) The frontier from the Nawa Peak to Sassobi shall follow the line shown in the map attached to this treaty, and shall be demarcated by a British Commission, and Amir shall accept such demarcation.

- \* \* \* \* \*
- ' (5) Amir shall co-operate with British Government for the maintenance of peace and order upon their common frontier, and for removal of outlaws and notorious raiders, and shall instruct his officers accordingly \* \* \*

' At this point further clauses should be interpolated providing for your stipulation (1) (*i.e.*, dismissal of all hostile foreigners, etc.), as stated in Viceroy's telegram 954-S. and for position of British Representative in Afghanistan to be improved as in your stipulation (5) if you can definitely indicate the improvement desired. Otherwise such provision does not appear worth while.

' Your stipulation (6) appears unnecessary and also undesirable, as Amir might interpret it as admission of his claim to full position of an ambassador for his Envoy, and it would be followed almost certainly by demands of such a nature. Stipulation (3) should be obtained in negotiations if possible, but not included in Treaty.

' Last two Articles of the Treaty should be as follows :—

' British Government have decided, in consequence of wanton and unprovoked aggression of Amir, and in reparation for material loss and damage caused thereby, to treat as forfeited all arrears of subsidy of late Amir, and these will not in any circumstances be paid. British Government are unable to continue to Amir privilege of maintaining an Afghan Postmaster at Peshawar, in view of manner in which this privilege has been

<sup>1</sup>Tel. 954 (29-6-1919), from Viceroy to S. of S. (Progs., Aug. 1919, 360.)

<sup>2</sup>Tel. 984 (4-7-1919), from Viceroy to S. of S. (*Ibid.*, 396.)

<sup>3</sup>Tel. (7-7-1919), from S. of S., to Viceroy. (*Ibid.*, 412.)

abused. British Government are not willing to grant renewed subsidy to Amir, or to accord to him privilege enjoyed by his predecessors in respect of importation of arms and munitions through India to Afghanistan, until such time as he shall have shown by his conduct that he is deserving of these proofs of confidence. If at the end of six months the Amir has satisfied the British Government in this respect, and has faithfully observed the terms of this treaty, they will be prepared to grant to him a subsidy to be hereafter determined and to allow importation of arms.<sup>1</sup>

**57. The Maximum treaty.**—The draft Treaty, outlined in the Secretary of State's telegram, was the basis of what came subsequently to be known as the 'maximum' or the 'exclusive treaty'.

Its characteristics are that it aims, as has been seen, at the control of foreign relations and the exclusion of Bolshevik personnel from Afghanistan in return for a subsidy.

The Government of India in their reply<sup>2</sup> adhered to their preference for 'a Treaty in two chapters—first peace and then friendship', but at the same time were—

' quite prepared to accept a treaty on lines proposed by His Majesty's Government as maximum at which our delegates should aim. We fear, however, that there is little or no prospect of Amir accepting your treaty as it stands.

The crux of the problem is article 1 the control of his foreign relations. There has been during past year a profound change in political outlook in Middle East including Afghanistan. General unrest, awakened nationalist aspirations, pronouncements of President Wilson, Bolshevik catchwords and other influences have been at work. This change of outlook is evidenced in first utterances of Amanullah as Amir, basis of which was the sovereign independence of Afghanistan, and the complete freedom of his external relations \* \* \* \* if we manage in the end by threat of renewal of hostilities to force on Amir inclusion of Article 1 in a Treaty we should find that this provision would be broken as it has been by his predecessors in the past. For instance the Amir (*i.e.*, Habibullah) could not, in the face of his people, refuse correspondence with Turkey or even the admission of a Turkish Mission'.

[Subsequent experience of political conditions in Afghanistan went to confirm this view, but the Government of India had themselves provided for control of Afghan foreign relations in the 'second chapter' of the Treaty, to be negotiated six months later :—

' We thought that our delegates might be able to impress on Amir impossibility of his running alone, and that period of six months probation would have convinced him of it. If we regain confidence of Afghanistan and get them to turn voluntarily to us in their difficulties, we shall have secured more than we can do by any scrap of paper'.

The event showed how illusory was the hope that the Amir would agree to 'have no relations with foreign countries' and to 'conduct his foreign relations as heretofore, through us' within six months of the close of the Third Afghan War.]

' Your article (2) harks back to time 40 years ago when Afghanistan was seriously afraid of Russian invasion \* \* \* \* Amanullah who thinks Afghanistan has now nothing to fear from Russia would probably not thank us for this offer and would certainly not regard it as a *quid pro quo* for control of his foreign relations.

' Your article (3).—We agree but we note that you do not include any reaffirmation of Durand Line by new Amir. It must be remembered that, until we can control our own tribes, and prevent their depredations into Afghan territory, it is rather hard to expect Amir to abstain from giving them blackmail as we do.

' Your article (4).—We agree, but it will probably be inconvenient to demarcate at present the portion in the Mohmand country from Nawa Sar to the Kabul river, but there is perhaps no need to exclude this portion for this reason. In our opinion it is hopeless to secure Dakka or Kam Dakka under cover of demarcation without appearance of annexation.

' Your article (5).—We agree.'

The Government of India went on to recommend that their stipulations (1) (3) (5) (6) should be omitted from the Treaty itself, and secured informally by negotiation.

<sup>1</sup>Tel. (7-7-1919), from S. of S. to Viceroys. (Progs., Aug. 1919, 415).

<sup>2</sup>Tel. 1014, (10-7-1919), from G. of I., to S. of S. (Progs., Sep. 1919, 10.)

<sup>3</sup>Point 2 in tel. 954 (29-6-1919) from Viceroys, to S. of S. (Progs., Aug. 1919, 360.)

The discontinuance of the concession by which the Amir had maintained his own Post office in Peshawar should similarly, they thought, be excluded from the Treaty, and merely announced to the Afghan delegates as a decision of the Government of India.

58. **The 'Treaty in two chapters' approved by His Majesty's Government.**—The Secretary of State in reply agreed to the scheme for a Treaty in two chapters, but went on to remark :—‘ I should be sorry if anything was said or done, to indicate that we contemplate a substantial change in our political relations with Afghanistan ’.<sup>1</sup>

He also explained that it had been intended to suggest, not the forcible acquisition of Dakka, but the possibility of a readjustment of the frontier at Kain Dakka, in return for a concession at Bohai Dag as had been contemplated in 1903.

59. **The Rawalpindi Conference.**—On July 21 a letter was received from the Amir accepting the arrangements for the Peace Conference.<sup>2</sup> On July 24 the Afghan delegates reached the British lines, and next day arrived at Rawalpindi.

The first meeting took place on July 26.<sup>3</sup> At the third meeting, held on July 31, the Chief British Representative presented the Treaty of Peace, and explained its terms.

At the fourth meeting held on August 4, the Afghan delegation made some counter proposals, and suggested certain modifications of wording which were accepted. Although the topics mooted at the Rawalpindi Conference included certain questions of fundamental importance, while the vapourings of the Chief Afghan delegate occasionally threw valuable light on the policy of the new Amir, it is not proposed to trace in detail the course of the discussions. The significance of these in the search for a solution of the various questions ventilated will be noticed in Part II, under the relevant headings.

60. **The Treaty of Rawalpindi.**—Finally, on August 8th the Treaty was signed in the following terms—

The following articles for the restoration of peace have been agreed upon by the British Government and the Afghan Government :—

#### ARTICLE 1.

From the date of the signing of this Treaty there shall be peace between the British Government, on the one part, and the Government of Afghanistan on the other.

#### ARTICLE 2.

In view of the circumstances which have brought about the present war between the British Government and the Government of Afghanistan, the British Government, to mark their displeasure, withdraw the privilege enjoyed by former Amirs of importing arms, ammunition or warlike munitions through India to Afghanistan.

#### ARTICLE 3.

The arrears of the late Amir's subsidy are furthermore confiscated, and no subsidy is granted to the present Amir.

#### ARTICLE 4.

At the same time, the British Government are desirous of the re-establishment of the old friendship, that has so long existed between Afghanistan and Great Britain, provided they have guarantees that the Afghan Government are, on their part, sincerely anxious to regain the friendship of the British Government. The British Government are prepared, therefore, provided the Afghan Government prove this by their acts and conduct, to receive another Afghan mission after six months, for the discussion and settlement of matters of common interest to the two Governments, and the re-establishment of the old friendship on a satisfactory basis.

<sup>1</sup>Tel. (16-7-1919), from S. of S., to Viceroy. (Progs., Sep. 1919, 50.)

<sup>2</sup>Tel. 12-M.-N. (21-7-1919), from Ch. Pol. Officer, to G. of I. (*Ibid.*, 79.)

<sup>3</sup>The British Delegation consisted of :—

Sir H. Grant, Foreign Secretary to the Government of India.

Mr. J. L. Maffey, Chief Political Officer, North-West Frontier Province.

Br. Genl. F. J. Moberly, General Staff, India.

Sir Gurbakhsh Singh, Bedi.

Nawab Sir Shams Shah.

Nawab Maula Bakhs.

Mr. G. Cunningham.

## ARTICLE 5.

The Afghan Government accept the Indo-Afghan frontier accepted by the late Amir. They further agree to the early demarcation by a British Commission of the undemarcated portion of the line west of the Khyber, where the recent Afghan aggression took place, and to accept such boundary as the British Commission may lay down. The British troops on this side will remain in their positions until such demarcation has been effected.

**61. The letter admitting the independence of Afghanistan in her foreign relations.**—Of more lasting significance however than anything in the Treaty itself was the letter attached to it, which ran as follows :—

' You asked me for some further assurance that the Peace Treaty which the British Government now offer, contains nothing that interferes with the complete liberty of Afghanistan either in internal or external matters.

' My friend, if you will read the Treaty carefully you will see that there is no such interference with the liberty of Afghanistan. You have told me that the Afghan Government are unwilling to renew the arrangement whereby the late Amir agreed to follow unreservedly the advice of the British Government in regard to his external relations. I have not therefore pressed this matter, and no mention of it is made in the Treaty. Therefore, the said Treaty and this letter leave Afghanistan officially free and independent in its internal and external affairs.

' Moreover, this war has cancelled all previous Treaties'.<sup>1</sup>

The wording of this letter had been the subject of correspondence between the Secretary of State and the Government of India, but it had not been found possible to secure the approval of the former to the letter before it was shown, practically in its final form, to the Afghan delegates.<sup>2</sup>

**62. The Government of India's anxiety for peace.**—The motive underlying the idea of a Treaty in two chapters was that while peace and friendship with Afghanistan were both highly desirable, it was not possible to offer the Amir British friendship as an immediate sequel to his unprovoked aggression on India. ' Roaring and cooing at the same time ' was an ' impossible task '.<sup>3</sup> The first requisite, the Government of India felt, was peace, if not at any price, at least without haggling over details. The conclusion of peace could not be allowed to await the outcome of the protracted negotiations, which would be necessary for the arrangement of permanent future relations with the Amir.

The ' Treaty in two chapters ' was regarded at the time as an ' extremely clever compromise '.<sup>4</sup>

This ' will to peace ' is apparent throughout the official correspondence, and was not concealed from the Afghan delegates.

' The Chief British Representative said he did not care about himself, but he was anxious for peace'.<sup>5</sup>

There were ample grounds for this anxiety. The collapse in Waziristan and Zhob, with its inevitable reaction on the administered districts, demanded instant attention. The infernal situation of India was also critical. The disturbances of April had been suppressed, but, with the abrogation of martial law in the Punjab on June 11th, and the consequent relaxation of the Press censorship, the tide of agitation rose quickly.

' During the whole of the summer of 1919 a marked feature of the political life of India was the vehemence and universality of the press attacks, which were launched against the Administration.'<sup>6</sup>

The Khilafat movement was at the same time gaining in intensity. Scarcely less embarrassing was the economic situation. The soaring of the rupee, between May and December, from 1s. 8d. to 2s. 4d. induced a general feeling of insecurity in business circles, and hampered trade. The failure of the 1918 monsoon had caused widespread distress. This was intensified by the influenza epidemic, which raged through the country in the autumn of that year, causing a mortality of six millions and seriously affecting the efficiency of the

<sup>1</sup>Letter 7-P.O. (8-8-1919), from Ch. Br. Rep., to Ch. Af. Rep. (Progs. Oct. 1920, 797.)

<sup>2</sup>Tel. 77-P.C. (8-8-1919), from Ch. Br. Rep., to G. of I. (Progs., Oct. 1920, 788.)

<sup>3</sup>Minute by Sir J. Maffey (25-6-1919). (*Ibid.*, n. p. 36.)

<sup>4</sup>Minute by Sir H. Grant (26-6-1919). (*Ibid.*)

<sup>5</sup>Progs. of the 4th Meeting of the Peace Conference, Rawalpindi, 4th Aug. 1919.

<sup>6</sup>India in 1919 (Rushbrook Williams), p. 40.

agricultural population. By July 1919 the prices of food grains had reached an unprecedented level. General war weariness was prevalent, and above all the Government of India were convinced that there was nothing to gain, and everything to lose, by prosecution of war with Afghanistan.<sup>1</sup>

There was not only anxiety for peace, but also haste to obtain it :—

‘ Results could not have been attained within the same time (and time was very material factor) by any other means.’<sup>2</sup>

In these circumstances the great forbearance shown by the Government of India towards the Amir’s failures to comply with the armistice terms becomes intelligible.

**63. Breaches of Armistice Terms by the Amir.**—These failures had certainly been flagrant. It had been clearly laid down that no Afghan troops were to remain on the British side of the Durand Line :—

‘ So long as a single Afghan regular soldier remains on our side of the Frontier, peace negotiations are out of the question.’<sup>3</sup>

Colonel Shah Daulah however remained at Wana with Afghan irregular troops, some gunners, and two guns throughout the negotiations, and was still there for some time after peace was signed. On August 3rd it was reported that :—

‘ In Kurram Afghans at Peiwar Kotal continue to strengthen sangars and have built a large one, practically a fort, at Tando Sar about 1,000 yards inside our demarcated boundary. This is held by Afghan regulars, Militia post is kept under fire by the Afghans so constantly that communication with it by day is difficult. Afghan Commander at Peiwar does not appear to pay any attention at all to armistice.’<sup>4</sup>

This breach of the armistice was called to the notice of the Chief Afghan Delegate, who gave an assurance that he had taken immediate action.<sup>5</sup>

The Afghan occupation of Tando Sar however continued.<sup>6</sup>

On 21st August 1919 the Chief Commissioner, N.W.F.P. telegraphed :—

‘ Three hundred Afghan troops reported still at Arandu ’<sup>7</sup> (in Chitral).

This encroachment however remained until the conclusion of the Kabul Treaty in November 1921.

Nadir Khan in Khost was repeatedly reported to be flouting the fourth term of the armistice.<sup>8</sup>

Although the detention in Kabul of the British Agent was brought to the notice of the Afghan delegation by Sir Hamilton Grant, the ‘ close and cruel confinement ’<sup>9</sup> of the Agent lasted until August 18th. Other instances might be adduced.

The fact that it was not possible for the Government of India, at the outset of their dealings with the new Amir, to enforce compliance with their demands, had an unfortunate effect on their subsequent relations with him.

**64. Public opinion of the Treaty.**—To those who were not in a position to appreciate the difficulties of the situation, the Treaty of Rawalpindi seemed an inadequate conclusion to the Third Afghan War ; and consequently had a ‘ bad Press ’. It was condemned by the ‘ Times ’<sup>10</sup> and denounced by certain of the Anglo-Indian papers.

‘ At the time of the negotiations which closed last year’s war the representatives of the Government of India evidenced a policy of which the less said the better. It was attacked in Parliament ; and generally regarded by British public opinion as having involved a loss of prestige.’<sup>11</sup>

<sup>1</sup>Para. 52.

<sup>2</sup>Tel. 1193-S. (18-8-1919), from Viceroy to S. of S. (Progs., Oct. 1919, 70.)

<sup>3</sup>Letter from Viceroy to Amir, Tel. 912 (21-6-1919). (Progs., Aug. 1919, 305.)

<sup>4</sup>Tel. 2151 (3-8-1919), from N.-W. F., to G. of I. (Progs., Sep. 1919, 162.)

<sup>5</sup>Progs. of the 4th Meeting (4-8-1919).

<sup>6</sup>Tel. 2260 (14-8-1919), from N.-W. F., to G. of I. (Progs., Oct. 1919, 53.)

<sup>7</sup>Tel. 2330 (21-8-1919), from N.-W. F., to G. of I. (*Ibid.*, 86.)

<sup>8</sup>E.g., Tel. 87, (26-8-1919), from C. P.O., Waziristan, to G. of I. (*Ibid.*, 112.)

<sup>9</sup>Tel. from Sir H. Grant, to G. of I., 5-9-1919. (*Ibid.*, 18-191. n. p. 24.)

<sup>10</sup>Letter from Sir H. Grant, to Minister for Home Affairs, Kabul (17-12-1919). (Progs., Oct. 1920, 333.)

<sup>11</sup>‘ Times of India ’, 7-4-1920.

The last statement is borne out by a remark of the Secretary of State :—

‘Tactics which are widely thought here to have involved us in the surrender of prestige.’<sup>1</sup>

**65. The opinion of the Government of India.**—The Government of India however, expressed satisfaction with the result of the Conference, and were generous in praise of their delegates :—

‘We regard result of peace negotiations as highly satisfactory. With a few modifications, none of which is essential, Afghan delegates have accepted our draft Treaty in full. We are indebted for our success to the admirable patience, tact, and skill, with which Grant, ably assisted by his associates notably Maffey, etc.<sup>2</sup>’

**66. The attitude of His Majesty’s Government.**—The Secretary of State was considerably more reserved, and made trenchant comments on the procedure which had been adopted :—

‘While sharing your appreciation of tact and skill which British delegates displayed, and while hoping sincerely that your diplomacy may be crowned with expected success, I regard modifications introduced in Treaty at the last moment as important. When I accepted your plea, which I did with some misgiving, your telegram of 10th July had led me to believe that your draft was in the nature of an ultimatum, to be accepted or refused as it stood.’<sup>3</sup>

**67. The Afghan view.**—In Afghan eyes the *clou* of the Treaty was the official admission of the independence of the Amir in his foreign relations, an admission which, although it may in reality have done no more than record an already existing fact, nevertheless afforded the Amir an admirable basis for propaganda that he had gone to war in order to vindicate his claim to independence, which he had finally won by the sword.

‘Tone of all letters is very friendly, but it is made clear that Afghan cue is now to represent that they waged war to gain complete independence, and have succeeded in that object.’<sup>4</sup>

It would be a mistake to minimise the effect of such propaganda on account of its palpable falsity. It is the text of the annual celebrations held by the Amir in honour of Afghan independence, and tends to implant in the mind of his subjects another of those ‘misunderstandings’, which have in the past so tragically affected the relations of his country with India. When a French periodical of some repute can state the Amir’s claim in all seriousness as a historical fact, it is perhaps too much to expect that the rising generation of Afghans will prove more discerning.

**68. Retrospect of the period.**—The events of the period may be briefly summarised :—

Even before the Great War there had been indications that the nationalist movement had penetrated Afghanistan, (para. 21). During the War gaining strength from foreign propaganda, from the teachings of Mahmud Tarzi, and from Amir Habibullah’s own maladministration, it became, although as yet confined to the narrow circle of the Kabul intelligentsia, a living force demanding internal reform and external independence. These demands Amir Habibullah failed to satisfy, and was swept away (paras. 22–28). The new ideas, challenged momentarily by the conservative and religious opposition represented by Nasrullah, triumphed with the accession of Amanullah, (paras. 30–37). Amanullah, by his hasty release of the ‘Musahiban’ family, found himself threatened with a hostile combination of the Army and the Mullahs (paras. 38–39).

Preferring ‘the hazards of war to the certainty of a successful counter revolution’<sup>5</sup> he proclaimed ‘jehad’, relying, no doubt, on his information that India was on the brink of rebellion and would rise as soon as his troops reached the Frontier, (paras. 40–42). Disillusioned in this, and surprised by a vigorous counter offensive, he made overtures for peace, (paras. 43–49). Simultaneously Nadir Khan’s diversion from Khost, and the sudden collapse of the British defences in Waziristan and Zhob changed the whole military and political situation (paras. 46–48). The Government of India harassed by internal agitation, both religious and political, urgently needing a breathing space for the stabili-

<sup>1</sup>Tel. (8-9-1919), from S. of S., to Viceroy. (Progs., Oct. 1919, 181.)

<sup>2</sup>Tel. 1157, (9-8-1919), from Viceroy, to S. of S. (Progs., Oct. 1920, 790.)

<sup>3</sup>Tel. 13-8-1919, from S. of S., to Viceroy. (*Ibid.*, 794.)

<sup>4</sup>Tel. 1360 (20-9-1919), from Viceroy, to S. of S. (*Ibid.*, 321.)

<sup>5</sup>D.-O. letter 1249, (5-5-1919), from N.-W. F., to P. S. V. (Progs., July 1919, Nos. 1-235, n. p. 14.)

sation of the Frontier as well as for economic reconstruction after the strain of the Great War, and convinced that there was more to lose than gain by decisive victory in the field, was only too ready to make peace, (paras. 51-52 and 62). The Treaty of Rawalpindi followed (paras. 53—61).

The Amir thus found his gamble justified. Not only had he, contrary to all expectation, emerged from war with India without losing his throne, but he was also able to display an official acknowledgment of his independence, which enhanced his prestige and was of great value for propaganda (para. 67).

The war had shown him both his weakness and his strength. For, if his regular troops had been unable to stand against the Indian Army, he had discovered in his ability to raise the Frontier tribes a lever of which he was to make full use in subsequent negotiations.

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## PERIOD II.

FROM THE TREATY OF RAWALPINDI (8-8-1919) TO THE CLOSE OF THE MUSSOORIE CONFERENCE (24-7-1920).

### CHAPTER V.

#### SUMMARY OF EVENTS IN THE NEAR AND MIDDLE EAST.

69. **Deterioration of Eastern Situation.**—During the period between the Treaty of Rawalpindi and the close of the Mussoorie Conference, the Eastern situation, from the British standpoint, 'deteriorated' with remarkable rapidity.

70. **Turkey.**—In August 1919 the Allies appeared to have the future of Turkey at their mercy. The Greeks had landed at Smyrna on May 15, and subsequently advanced into the interior.

Mustafa Kemal had been outlawed on July 11 by the Ottoman Parliament, and there was as yet little indication of his approaching triumph. On September 13 however the Nationalist Congress met at Sivas, and formulated the programme of the new Party. On January 28, 1920 the National Pact was signed by the deputies of the Ottoman Parliament. The successes against the French at Marash and Urfa followed. In April the National Government was set up at Angora, and in the same month a military convention, supplemented in June by a political understanding, was concluded with the Soviet Government. On May 12 the draft of the long expected Peace Treaty with Turkey was published.

The Boulogne Conference was held on June 21-22, and at its close M. Venizelos announced that military action by the Greeks in Anatolia had been sanctioned. On the same day the Greek offensive began. The effect of these occurrences on Eastern opinion was important. Turkey at this time still held 'in her hands the standard of the Khilafat<sup>1</sup>', and the action of the Allies in encouraging the Greeks to attack her was bitterly denounced throughout the Moslem world. The Allies' policy, directed, as it seemed to be, towards the dismemberment of Turkey, was denounced as contrary to a pledge, which Mr. Lloyd George was widely advertised to have given during the Great War. Seldom if ever can Great Britain's reputation for fair play and good faith have stood lower, in Indian estimation, than it did at this time.

The Khilafat movement gathered force, and in June developed into '*Hijrat*'. The Afghan delegates accordingly made a bid for Moslem support, by giving especial prominence to the question of the Khilafat and the Turkish Peace terms at the Mussoorie Conference.

71. **Russia.**—In Russia the trend of events had also been adverse.

In August 1919 the Whites under Generals Yudenitch and Denikin, and Admiral Kolchak, were advancing steadily, supported by British munitions and advice. The Bolshevik administration in Turkestan was hemmed in by Lazareff at Askabad on the West, and the Ferghana counter revolutionaries on the East, while its communications with Moscow were cut. By April 1920 the White leaders had been defeated, and the Orenburg-Tashkent railway recaptured by the Bolsheviks, to whom Krasnovodsk had also fallen.

The Soviet and Angoran Governments, owing rather to the bond of a common danger from the Allied Powers than to any natural sympathy of ideas, had drawn together, and come to military and political understandings preliminary to the conclusion of a formal Treaty. There were however several elements of antagonism inherent in their relations and policy. Both for instance aspired to form a Federation of Moslem States under their own hegemony, while the 'Pan-Turanian' movement directly threatened Soviet predominance in Turkestan and Azarbaijan.

At this time however the rift was scarcely apparent, and both Governments were working together in outward amity on lines hostile to British interests.

<sup>1</sup>Turco-Afghan Treaty March 1, 1921, Article III (para. 720.)

The Russian leaders Lenin, Trotsky and Tchitcherin denounced Great Britain as their chief opponent, and the main barrier to the spread of their doctrines throughout the world.

It was an open secret that the Soviet Government had selected India as the first line of attack on the Empire, and, as a step on this road, had sent a mission to Kabul, where negotiations with the Amir were pending.<sup>1</sup>

**72. Persia.**—On August 9, 1919, the Anglo-Persian Agreement had been signed, but by May 1920 there were already indications that it lacked the elements of permanence, and British influence in Tehran was declining.

**73. Mesopotamia, Egypt, etc.**—In Mesopotamia there were signs of upheaval, and on July 2, 1920 the Arabs rose in revolt against the British régime. The agitation in Egypt, and the troubles in Ireland, were being closely followed by all politicians in the East.<sup>2</sup>

Thus at the opening of the Mussoorie Conference the dominant position held by Great Britain at the close of the Great War, in the Near and Middle East, appeared to be undermined, and her prestige had waned accordingly.

**74. The effect on Indo-Afghan relations.**—These developments played into the Amir's hands. The Government of India could no longer maintain that he could safely be left to stand in the corner till he was good. His rapprochement with the Bolsheviks was a menace which could no longer be ignored, and it was mainly on this account that, when he suggested a meeting of a different kind, advantage was taken of the opportunity to propose the Mussoorie Conference.<sup>3</sup>

The proceedings of this conference were coloured almost as much by current events in the Near and Middle East, as by the actual situation on the Indo-Afghan frontier.

<sup>1</sup>Para. 88 (1).

<sup>2</sup>Cf. Nadir Khan's remarks (para. 86).

<sup>3</sup>Para. 90.

## CHAPTER VI.

### THE SITUATION IN INDIA.

#### A.—THE INTERNAL SITUATION.

75. **Anti-British feeling.**—It has been noticed<sup>1</sup>, that the Punjab disturbances and the Khilafat agitation, in combination, had resulted in a wave of anti-British sentiment, which found expression in attacks upon Government couched in terms of unprecedented bitterness.

76. **The Hunter Committee.**—In October 1919 the Hunter Committee of Enquiry into the Punjab disturbances began to take evidence, and its proceedings greatly stimulated racial feeling. This result was reflected in the Majority and Minority Reports of the Committee itself, which, on their publication in May 1920, were found to diverge on lines of racial cleavage.

In their common hostility to the administration Hindus and Moslems discovered a temporary bond of union.

77. **Mr. Gandhi's alliance with the Khilafatists.**—Thus when preparations were made for official Peace celebrations on December 13, 1919, Mr. Gandhi announced that the Hindus would observe a '*hartal*' and days of mourning, in support of the Khilafat movement.

The delay in the publication of the Turkish Peace terms greatly increased the tension of public feeling, which the news of the interview between the Prime Minister, (Mr. Lloyd George) and the Indian Khilafat deputation on March 17, 1920, did nothing to mitigate. March 19, was fixed as a day of fast and mourning in sympathy with the Turkish cause, and Mr. Shaukat Ali announced that, if the peace terms did not satisfy their requirements, Moslems would be forced to withdraw their allegiance to the British throne. Mr. Gandhi declared his intention of leading a new non-co-operation campaign, in order to make the position of Government impossible. The resulting movement, in its early stages, greatly enhanced the prevailing excitement. With the publication in May of the draft Turkish Peace terms and the Hunter Committee report, seditious agitation grew even more intense than before.

78. **'Hijrat'.**—In June the '*Hijrat*' movement began in the North-West Frontier Province, and during that month and July some 18,000 persons, persuaded that it was an Islamic duty to abandon a country ruled by a sacrilegious Government, left their homes for Afghanistan. The first refugees were welcomed by the Amir but their numbers soon became embarrassing, and admission to Afghanistan was finally refused. By August the movement had lost its force, and the emigrants began drifting back to their homes. The peculiar difficulties of the internal situation increased the anxiety of the Government of India to ensure that their dealings with the Amir should give no cause for a further alienation of Moslem sentiment.<sup>2</sup>

#### B.—THE SITUATION ON THE FRONTIER.

79. **Chitral.**—At the end of August 1919 the local Afghan Commander received orders for the disbandment of lashkars, and the situation remained normal until April 23, 1920, when Lambarbat, some four miles within Chitral territory, was occupied by an Afghan force. This was one of the incidents which caused the suspension of the Mussoorie Conference. At the end of April this force was withdrawn.

80. **Afridis and Mohmands.**—On September 13, 1919, the fort of Malik Yar Muhammad Khan of Chora, who had taken a leading part in hostilities against us during the Third Afghan War, was destroyed by a column from Ali Masjid.

The terms of settlement with the Afridis, which included a fine of Rs. 50,000 and the return of all Government arms and property taken since May 1, were announced in November 1919, but raids by irreconcilables continued.

On December 17 Nadir Khan arrived in Jalalabad, and on January 31, 1920, held a jirga at Hada. On this occasion he distributed black standards to the

<sup>1</sup>Para. 62.

<sup>2</sup>See para. 52 (8).

Afridis, Mohmands and Ningraharis and warned them to be prepared for war. In March he began the formation of a tribal battalion, but in spite of these intrigues satisfactory progress was made with the settlement, and with the enlistment of the Khyber Khassadars.

81. **Kurrum.**—On April 19, 1920, the Afghan Commander again posted a piquet on Tando Sar, on the Indian side of the Durand Line. As a result of representations made at the Mussoorie Conference the position was evacuated on May 22.

82. **Waziristan.**—Raiding by Wazirs of Wana and Tochi, Mahsuds, and Sheranis continued unabated after the signature of the Peace Treaty. Colonel Shah Daula was still in Wana,<sup>1</sup> and in September 1919 toured in the Gomal, where he tried to raise tribal levies to garrison our abandoned posts. Convoys escorted by Afghan regular troops reached Shah Daula at Wana from time to time,<sup>2</sup> and in January 1920 he was joined by the notorious Haji Abdur Razzak. The Tochi Wazirs were given their terms of settlement in November 1919, and accepted them at once. Progress in compliance was however slow.

The Mahsuds also were informed of their terms in that month. These were refused, and the Derajat Column began active operations in December. After heavy fighting the leading hostiles, on January 14, 1920, agreed to the terms but failed to carry them out. By March 6 Kaniguram was reached. In May some Mahsud families emigrated to Afghanistan, and received land in Khost and the Logar valley.

On July 30 the Mahsuds were informed that it had been decided to occupy a central position in Waziristan with troops, and to open up the country with roads.

The attitude of the tribe thereafter improved, although piquets continued to be sniped by hostiles, under the leadership of Musa Khan and Mullah Fazl Din.

The Wana Wazirs were not informed of our terms until the completion of the settlement with the Tochi Wazirs and Mahsuds. The gradual re-establishment of British authority among the tribes was a severe blow to the Amir's plans for maintaining his influence over them as a means of diplomatic leverage. That this was realised by the Afghan delegates to the Mussoorie Conference is evident from the whole tone of their representations on the subject, and particularly from their repeated requests for a cessation of our frontier operations.

83. **Baluchistan.**—In Baluchistan the incursions into Zhob and the collapse of the militia had seriously shaken the border administration. After the Rawalpindi Treaty the situation improved appreciably, and it was possible to begin the work of reconstruction. The fact however that Anglo-Afghan relations were in a state of suspense caused a general feeling of uncertainty. On April 18, 1920, Muhammad Umar Alkozai, with his son and a guest, was carried off by a well-known criminal from Baluchistan, who had been given an appointment at Boldak by the local Afghan authorities. Representations were made on the subject at the Mussoorie Conference, Afghans in Baluchistan arrested, and troops moved up to the border. This had the required effect and Muhammad Umar was released.

<sup>1</sup>See para 63.

<sup>2</sup>Para. 88 (3).

## CHAPTER VII.

### NARRATIVE OF EVENTS.

**84. Four letters from Kabul.**—The conclusion of the Rawalpindi Treaty was followed by the receipt of four letters from Kabul :—

The first was addressed by the Amir to the Viceroy, and was of a formal kind intimating the Amir's pleasure at the restoration of peace.<sup>1</sup>

The second was from S. Mahmud Tarzi to the Secretary of State for Foreign Affairs, and gave an obvious indication of the Amir's intention to sidetrack India, and correspond direct with His Majesty's Government in future.<sup>2</sup>

The third was from the Amir to Sir Hamilton Grant, and was formal except for a reference at the end to the negotiation of a Treaty of friendship :—

*'The said treaty is in fact the forerunner of another treaty, which will be concluded for the purpose of establishing and perpetuating friendship.'*<sup>3</sup>

The fourth was from the Amir to the King, and was of a formal kind evidently intended to establish a claim to correspond direct with His Majesty.<sup>4</sup>

The first letter was acknowledged by the Viceroy, who intimated the readiness of the Government of India to negotiate a Treaty of friendship, as soon as they had been convinced of the Amir's sincerity by the fulfilment of the conditions indicated at Rawalpindi.<sup>5</sup>

The Secretary of State proposed that an acknowledgment of the second and fourth letters should be sent by the Foreign Secretary to the Government of India and the Viceroy, respectively.<sup>6</sup> The latter pointed out that such action in respect of the Amir's letter to the King might cause resentment.<sup>7</sup> This letter and another received on January 27, 1920, from the Amir (addressed to the King on the subject of the Khilafat<sup>8</sup>) were accordingly left unanswered, the Afghan Envoy being merely informed that they had been forwarded.<sup>9</sup>

**85. The Amir proposes an Indo-Afghan Frontier Commission.**—In a letter dated November 5, 1919 to Sir H. Grant as Chief Commissioner of the North-West Frontier Province the Amir made a significant proposal. Emphasising the importance of the Frontier question 'which lies like a deep gulf between the friendship of the two Governments', he said that Nadir Khan had been deputed 'to decide all the difficult questions of the Frontier', and was 'about to proceed to the Eastern Front'. The letter went on to suggest that Nadir Khan should be met by a British delegate (presumably the Chief Commissioner), for a discussion and settlement of the whole frontier problem.<sup>10</sup>

**86. The six months probation.**—Lengthy correspondence examining the whole position then followed with the Secretary of State. It will be convenient at this point to summarise the main features of the situation which had developed since the close of the Rawalpindi conference.

The Treaty of Rawalpindi was intended, as has been seen, to be the 'first chapter'—peace, followed, after a period of six months during which the Amir was to be on probation, by the 'second chapter'—friendship.<sup>11</sup>

The Afghan view of this arrangement was given a year later by Nadir Khan at Kabul :—

*'You expected that within six months the Bolsheviks would have been smashed, Ireland pacified, the Indian troubles settled, and Turkey finally partitioned. You thought that after six months you would be in a much stronger position towards us, and would be*

<sup>1</sup>Letter 10 (10-9-1919), from Amir to Viceroy (Progs. Oct. 1920, 317).

<sup>2</sup>Letter 1 (10-9-1919), from Afghan Commissary for Foreign Affairs, to S. of S. for Foreign Affairs (*ibid* 318).

<sup>3</sup>Letter 1 (10-9-1919), from Amir, to Sir H. Grant (*ibid* 319).

<sup>4</sup>Letter 1 (10-9-1919), from Amir, to the King (*ibid* 320).

<sup>5</sup>Kharita 6.P.O.A., (7-10-1919), from Viceroy, to Amir (*ibid* 323).

<sup>6</sup>Tel. (20-12-1919), from S. of S., to Viceroy (*ibid* 335).

<sup>7</sup>Tel. 12 (5-1-1920), from Viceroy, to S. of S. (*ibid* 337).

<sup>8</sup>Tel. 119 (20-1-1920), from Viceroy, to S. of S. (*ibid* 347).

<sup>9</sup>Tel. (31-1-1920), from S. of S., to Viceroy (*ibid* 349).

<sup>10</sup>Tel. 780, (18-11-1919), from N.-W. F., to G. of I. (*ibid* 324).

<sup>11</sup>Para. 54.

able to impose your will on us. The opposite of all this has occurred. Every one of these difficulties has increased ; and you are now in a much weaker position towards us than if you had made an immediate and final treaty with us at Rawalpindi'.<sup>1</sup>

The scheme depended for its success on the validity of two premises :—

- (1) that the Amir would accept the rôle of a penitent suitor for British friendship, and
- (2) that if he declined it, the Government of India could afford to stand aloof, and allow him to follow his own devices.

(1) was based on ignorance of the Amir's character, the existence of which was candidly admitted by the Government of India :—

'The real directors of Afghan policy—Amir and Mahmud Tarzi—who are factors quite unknown and incalculable to us at present'.<sup>2</sup>

(2) was regarded by the Amir as a transparent bluff to be 'called' at once :—

'In the meanwhile we were, we said, in the superior position of needing nothing from them (*i.e.*, the Afghans). They must prove their sincerity during the interval. Now the Amir is out to deny this basis of the Peace Treaty in toto. It is undoubtedly wounding to Afghan pride ; and what he wants to establish is that we are at least in as great need of his friendship as he is of ours, and that the bogeys with which he can threaten us, if we don't make it up, are worse than the bogeys with which we can threaten him'.<sup>3</sup>

**87. The conditions of Friendship.**—The Amir had been left in no doubt as to what was required of him :—

'The first way in which the Amir can show the sincerity of his intentions would be by the dismissal from his territory of all hostile foreigners—in particular Bolshevik missions and Bolshevik Agents.

'Further the British Government have regarded the presence of various Indian seditionists in Afghanistan—such as Mahendra Pratap, Obeidullah, and Barkatullah, as indicating an unfriendly attitude on the part of the Afghan Government. The dismissal of such persons from Afghan territory would be a very convincing sign of the desire of the Afghan Government for friendship.

'We now come to the question of the Border tribes. The action of the Afghan Government in this matter will be a very important criterion of their real feelings. All we require is friendly co-operation such as the late Amir accorded us during the latter part of the Great War. We require that there should be no unfriendly intriguing with our tribes ; that no allowances should be granted them by the Afghan Government ; that notorious outlaws should be removed to a safe distance from the frontier ; and that there should be friendly co-operation between the local officers of both Governments in the settlement of local disputes and the maintenance of peace on our common border.

'Another matter in which the Amir can show the friendliness of his intentions is in the improved treatment of the British Agent at Kabul'.<sup>4</sup>

**88. The Amir flouts the conditions.**—The period of probation ran from August 1919 to January 1920 inclusive. The Amir's policy during that period may be considered under the various heads mentioned by Sir Hamilton Grant :—

(1) Exclusion of Bolshevik emissaries.

In May 1919 a Bolshevik wireless message had announced the arrival of a delegation of 150 Afghans in Tashkent, with an invitation to Bravine to proceed to Kabul, where an official reception would be accorded him. The message ended with an intimation that Bravine and his party were starting immediately.<sup>5</sup>

On June 4, Tashkent announced the arrival there of an Afghan Mission, under General Muhammad Wali Khan, *en route* to Moscow.<sup>6</sup>

On September 3, 1919, Bravine reached Kabul, and was well received. By the middle of November a preliminary understanding had been sketched out, under which the Bolsheviks were to offer to Afghanistan a strip of territory north of the Herat frontier, together with money, arms, munitions, and technical instructors, in return for an undertaking from Afghanistan to facilitate the despatch of Bolshevik arms, emissaries and propaganda to the Indian frontier tribes and India.

<sup>1</sup>Memo. K. M. 13-C. (20-1-1921), from Br. Rep., Kabul, to G. of I. (A. S. IV 773).

<sup>2</sup>Tel. 29 (11-1-1920), from Viceroy, to S. of S. (Progs. Oct. 1920, 341).

<sup>3</sup>D. O. letter from For. Sec. to G. of I., to N.-W. F. (2-12-1919) (*ibid.*, n. p. 9).

<sup>4</sup>Proceedings of the 3rd meeting of the Indo-Afghan Peace Conference (31-7-1919).

<sup>5</sup>Press Communiqué, 29-5-1919.

<sup>6</sup>Tel. 262 (12-6-1919), from Viceroy, to S. of S. (Progs. Aug. 1919, 250).

Bravine was then superseded by Suritz, a new emissary, who arrived on December 24, 1919, and proceeded with the negotiations. These however from a variety of causes hung fire.<sup>1</sup>

(2) Dismissal of Indian revolutionaries.

Nothing was done in this direction.

(3) Frontier tribes.

It must be remembered that from the Afghan standpoint this demand was really one for the betrayal by the Amir of his allies in the recent war, and for the deliberate rejection of his most powerful leverage on the Government of India.

The allowances paid by the Amir to the tribes on the Indian side of the border are admittedly the premia due under his insurance policy :—

‘ All our actions, e.g., the Sipah Salar’s speech, are an insurance against war ’.<sup>2</sup>

As<sup>3</sup> has been already noticed, Afghan frontier officials were at this period engaged in intensive intrigue with our tribes ; the most signal illustration of this tendency being the activities of Nadir Khan at Hada, and of Haji Abdul Razzak and Colonel Shah Daula in Waziristan.

On this point the Government of India reported in January 1920 :—

‘ Afghans have continued to intrigue with tribes, witness presence and activities at Wana of Shah Daula. It was hoped by us at first, owing to statement of Afghan Envoy, that Shah Daula was not acting with Afghan Government’s consent. Since then however rations and money have twice been sent him from Afghanistan ’.<sup>4</sup>

(4) Improved treatment of the British Agent at Kabul.

Although the detention of the British Agent in Kabul had been brought to the notice of the Chief Afghan delegate at Rawalpindi, he was not released from confinement until August 18, while his letters to India were suppressed.

It was typical of Afghan diplomacy that while S. Ali Ahmad Khan denied that the Agent was being kept as a hostage,<sup>5</sup> he hinted, in a letter of August 28, that the Agent’s return was conditional on the withdrawal of British troops from Dakka.<sup>6</sup>

Consequently the Government of India, although issuing orders for ‘ the gradual evacuation of Dakka according to programme ’, suspended those for the resumption of the caravan traffic and the repatriation of Ghulam Haidar (the Afghan Postmaster) and his companions, until the Agent and his staff crossed the frontier.<sup>7</sup> This they eventually did on October 6, 1919.

The frank exposition of their requirements by the Government of India had evoked no response from the Amir, who appears to have regarded it merely as an indication of the places where the shoe pinched, confirming him in his belief that the maintenance of his connection with the Bolsheviks and the Frontier tribes could be usefully employed to put pressure on the British Government :—

‘ It must be regrettably admitted that to outward seeming our worst anticipations have so far been fulfilled. The Amir has not merely been slow to carry out the stipulations ; he has shown no signs of carrying them out at all ’.<sup>8</sup>

In these circumstances, it was clearly impossible to proceed, consistently with the attitude adopted at Rawalpindi, to the negotiation of the Treaty of Friendship.

**89. The Government of India abandon the attitude of aloofness.**—The Government of India were however anxious that the Amir should not drift out of touch with themselves and into the hands of the Bolsheviks in Kabul :—

‘ The longer the aloofness of the British and Afghan Government lasts, and the longer a frank discussion face to face is delayed, the more suspicion will grow between

<sup>1</sup>Letter from Ch. Br. Rep., Mussoorie Conference, to G. of I., 6-8-1920 (Progs. Jan. 1921, 137).

<sup>2</sup>The Chief Af. Del. at the 8th meeting, Mussoorie Conference.

<sup>3</sup>Ch. VI B.

<sup>4</sup>Tel. 13 (5-1-1920), from Viceroy, to S. of S. (Proga. Oct. 1920, 338).

<sup>5</sup>Proceedings of the 1st meeting (*ibid*, 762).

<sup>6</sup>Tel. 301-P. (31-8-1919), from the Ch. Pol. Officer, to the G. of I. (Progs. Oct. 1919, 141).

<sup>7</sup>Tel. 1288 (2-9-1919), from G. of I., to P. A., Khyber (*ibid* 151).

<sup>8</sup>D. O. letter 2446-A. (2-12-1919), from For. Sec. to G. of I., to N.-W. F. (Progs. Oct. 1920, n. p. 9).

us, and the more scope will the Bolsheviks at Kabul have for getting their misrepresentations believed.<sup>1</sup>

**90. The Viceroy proposes an Indo-Afghan Conference.**—Consequently after lengthy discussions with the Secretary of State, the Viceroy wrote to the Amir<sup>2</sup> *à propos* of the proposed delegation of Nadir Khan to the frontier<sup>3</sup>, suggesting a conference. This letter recited the points in which the Amir's conduct had failed to fulfil the conditions precedent to the conclusion of a Treaty of Friendship (*viz.*, the admission of a Bolshevik Mission to Afghanistan, the harbourage given to Indian seditionists, and the continued intrigue with the Waziristan tribes by Colonel Shah Daula at Wana), and concluded with a proposal for a discussion of all outstanding matters.

'A discussion, such as I have suggested, would not have as its aim the immediate conclusion of a definite treaty of friendship, for which the conditions, as I have pointed out, have not yet been fulfilled, but would be designed merely for the purpose of frankly examining any obstacles which may now exist to a good understanding, and to preparing a firm foundation on which a treaty of friendship can be erected at a later date.'<sup>4</sup>

The Government of India stated their motives for making this proposal as follows :—

'In considering nature of reply we feel that, since signing of Peace Treaty, situation has been radically modified by notable strengthening of Bolsheviks in Central Asia, and evidence received that they have definitely ceded certain territories to Amir, and that friction between them and Afghans may take long to mature, though it still seems probable. Whereas in former circumstances a policy of complete indifference might have been continued with good hope of success, such a policy might now lead to misunderstandings, and to Amir's drifting into a position of a dangerous enemy'.<sup>5</sup>

The Conference would it was hoped 'tide us over critical period of next hot weather.'<sup>6</sup> 'We shall probably be at our weakest both internally and externally until about next October.'<sup>7</sup>

**91. The Amir agrees to a Conference.**—The Amir's reply, although pointing out that certain of the Rawalpindi 'conditions' were incompatible with the independence of Afghanistan, and denying the allegation of Afghan intrigue in Waziristan, accepted the proposal for further discussions.<sup>8</sup>

This invitation was accepted, and on April 14 the Afghan delegation reached Mussoorie.<sup>9</sup>

An unfortunate incident had occurred at the Frontier, where the Afghan delegation arrived without warning on April 7, and had to be turned back as preparations for its onward journey were not complete.<sup>10</sup>

**92. The Khyber demarcation.**—Meanwhile in accordance with the fifth article of the Treaty the undemarcated frontier in the vicinity of the Khyber had been demarcated by Mr. Maffey, Chief Political Officer.

The Afghan delegates had been assured at Rawalpindi that this operation would not involve any annexation, but would only amount to a definition of the area claimed as British, Afghan counter claims being ignored. The proposed demarcation had also been shown them on a map.<sup>11</sup>

<sup>1</sup>Minute by For. Sec. to G. of I. (12-12-1919) (*ibid* p. 13).

<sup>2</sup>Kharita, P. O. A. (17-1-1920), from Viceroy to Amir, (*ibid* 343).

<sup>3</sup>Para. 85.

<sup>4</sup>Kharita 2-P. O. A. (17-1-1920), from Viceroy, to Amir (Progs. Oct. 1920, 343).

<sup>5</sup>Tel. 12 (5-1-1920), from Viceroy, to S. of S. (*ibid* 337).

<sup>6</sup>Tel. 290-S. (12-3-1920), from Viceroy, to S. of S. (*ibid* 365).

<sup>7</sup>Tel. 29-C. (11-1-1920), from Viceroy, to S. of S. (*ibid* 341).

<sup>8</sup>Letter 14. (10-2-1920), from Amir, to Viceroy, (*ibid* 353).

<sup>9</sup>NOTE.—The Afghan delegates were—

S. Mahmud Beg Tarzi—Minister of Foreign Affairs.

Ghulam Muhammad Khan—Nazir of Commerce.

Abdul Hadi Khan—Foreign Department.

Diwan Narjan Das—Chief Clerk.

Colonel Pir Muhammad Khan,

and the British representatives—

Mr. H. R. C. Dobbs—Foreign Secretary.

Mr. S. E. Pears—Revenue Commissioner, Peshawar.

Colonel S. F. Muspratt—General Staff.

Nawab Sir Abdul Qaiyum.

<sup>10</sup>Tel. 316 (7-4-1920), from N.-W. F., to G. of I. (Progs. Oct. 1920, 371).

<sup>11</sup>Tel. 1263 (29-8-1919), from Viceroy, to S. of S. (Progs. Oct. 1919, 127).

The work was begun on August 23, 1919, and completed by September 2. The proceedings were watched by General Ghulam Nabi on behalf of the Afghan Government, and subsequently formed the subject of a strong protest by the Afghan delegates at the eleventh and twelfth meetings of the Mussoorie Conference.

**93. The Amir proposes a Khilafat deputation to England.**—On February 23, 1920, the Amir wrote to the Viceroy on the subject of the Khilafat, asking whether an Afghan deputation to the King Emperor on the question would be given facilities, and favourably received.<sup>1</sup>

The Government of India were in favour of encouraging the despatch of such a deputation,<sup>2</sup> but the idea did not commend itself to the Secretary of State, who directed that the Amir should be informed that his delegates could not arrive in England before the conclusion of the Turkish settlement.<sup>3</sup>

**94. The Mussoorie Conference—The meetings.**—Four meetings were held between the 17th and 24th April 1920.

The conference was then suspended on account of three acts of aggression—

' prompted in the South by Abdul Quddus Khan, Afghan Chief Minister and Governor of Kandahar and in the North by Nadir Khan, Commander-in-Chief. In Baluchistan a prominently loyal headman had been openly abducted by order of the Afghan Kotwal of Spin Boldak, and mixed bands of British outlaws and Afghan tribesmen had been let loose on our territory. In the North-West Frontier Province Nadir Khan's intrigues among the Afridis were being intensified, and two points within our territory, Tandisar in the Kurram and Lambarbat in Chitral were occupied by regular or irregular Afghan forces. It was clear that the Afghans, with a view to influencing the Mussoorie discussions, were seeking to show what prickly neighbours they could be, and how valuable might be their friendship and how formidable their enmity.'<sup>4</sup>

The suspension of the Conference lasted from April 24 till June 3. On the former date a letter was received by the Chief British Representative, just after his intimation of the suspension of the Conference, from S. Mahmud Tarzi, to the effect that the Afghan delegates could not continue the discussion, until they received an assurance that the frontier operations being undertaken in Waziristan would cease.

On the release of the headman abducted from Baluchistan, and the evacuation of Tandisar and Lambarbat, the conference was resumed on June 7. Thirteen more meetings were held, the last taking place on July 24.

**95. Subjects of discussion.**—The trend of the discussions on the various points at issue may be briefly summarised.

At the first meeting S. Mahmud Tarzi stated :—

' It was necessary that the Afghan delegation should invite a statement of the attitude of the British Government in the three matters set forth in the following points :—

- (1) In view of the intense religious feeling which has recently been aroused in Afghanistan and the neighbouring Muhammadan countries, it was of the utmost importance that the British Government should declare its policy with regard to the Khilafat and the Holy Places of Islam.
- (2) With regard to the tribes on the Indian Frontier which are connected by race, religion, and language, with the Afghans, it was of the utmost importance that the British Government should declare its intentions towards the tribes and the tracts of country occupied by them.
- (3) It was also desirable that the British Government, the old friend of Afghanistan, should make plain its intentions with regard to the freedom and complete independence of Afghanistan, on the analogy of the freedom and independence of other nations.<sup>5</sup>

**(1) The Khilafat, the Turkish Peace terms, and the Holy Places.**—As regards Mecca and Medina, it was explained by the Chief British Representative that the Sharif was entirely independent, that conditions in the Hedjaz had improved, that there had never been any British forces in the Hedjaz, and that the Khilafat had nothing to do with the British Empire. British policy in regard to the Turkish Empire was governed by political not religious motives. No modifications in the Turkish Peace terms could be made out of regard for Afghan sentiment. A neutral had no *locus standi* in the matter. The feelings of Moslems

<sup>1</sup>Letter 15 (23-2-20), from Amir, to Viceroy (Progs. Oct. 1920, 356).

<sup>2</sup>Tel. 252 (3-3-1920), from Viceroy, to S. of S. (*ibid* 357).

<sup>3</sup>Tel. (8-3-1920), from S. of S., to Viceroy (*ibid* 361).

<sup>4</sup>Report on the Mussoorie Conference (para. 16) 6-8-1920 (Progs. Jan. 1921, 137).

<sup>5</sup>Appendix to Chief Br. Rep. report 6-8-1920 (*ibid*).

in the matter had however been fully represented. No assistance could be given towards sending an Afghan delegation to the Peace Conference, membership of which was confined to the belligerent Powers.<sup>1</sup>

At the Thirteenth meeting the Chief British Representative objected to the Afghan project of giving financial help to Khilafat Committees in India, on the ground that these were political organisations. The Afghan delegation maintained that they were religious in character.<sup>2</sup>

(2) **Frontier tribes.**—At the first meeting it was mentioned that the Afghan Delegation at the Rawalpindi Conference had presented a Memorandum 'to the effect that, during the period of six months after the signing of peace, there should be no attempts to punish the frontier tribes who had answered the Afghan call for help during the war'. The Chief British Representative stated that Sir H. Grant had made it clear that 'as these tribes had been disloyal to us, he could give no assurances whatever on this point, and that we would deal with our own tribes in our own manner and at our own time'.<sup>3</sup>

The question of agitation among the Frontier tribes was stated by Mr. Dobbs to have three branches :—

- (a) Afghan agitation ;
- (b) Bolshevik agitation, and their intention to arm our tribes with the connivance of Afghanistan ;
- (c) Indian revolutionary agitation in tribal territory.<sup>4</sup>

The only possible end of a policy on the part of the Afghan Government, which furthered such agitation, was war.<sup>5</sup>

In reply, although it was denied that the propaganda of the Bolsheviks or the Indian seditionists had been carried out with the approval of the Afghan Government, the doctrine of Afghan 'irredentismo' was bluntly stated :—

'Afghanistan is entitled naturally to govern over all the Afghan tribes.'<sup>6</sup>

The frustration of Bolshevism depended, the Chief Afghan delegate remarked, on 'material strength'. In reply Mr. Dobbs pointed to the anti-British intrigue among the tribes, directed by 'Afghan adventurers like Haji Abdur Razzak and Colonel Shah Daula'.<sup>7</sup>

The Afghan Government could if they wished restrain its officials from intriguing with the tribes, as they had in 1904 on the Russian border. The Chief Afghan Delegate said in reply :—

'The moment friendship between the two countries is established we can stop all kinds of causes of dissension, and we shall do so with great delight.'<sup>8</sup>

The Nazir of Commerce went on to suggest the cession of the tribal areas to Afghanistan :—

'If we become friends then there will be no incitements. If you leave the frontier tribes to us, we will of course manage them. While you consider them to be under yourselves, you complain that we incite them to attack you. While the frontier tribes are yours we cannot be responsible for their actions. We can only be responsible if the frontier tribes are left to us, and a yearly allowance is given for this purpose.'<sup>9</sup>

A counter charge was brought by the Afghan delegation that British officers had habitually 'instigated the Afghan tribes, the Mangals, the Mohmands of Lalpura, the Hazaras, and others, against the Amir'.<sup>10</sup>

The instances adduced were discussed seriatim. The steps taken for the pacification of Waziristan were then explained by Mr. Dobbs, who reiterated that Afghan interference could not be tolerated.

At the next meeting, the demand that the Afghan Government should restrain Bolshevik emissaries and Indian seditionists in Kabul from prosecuting hostile

<sup>1</sup> Appendix to Chief Br. Rep. report 6-8-1920 (Proceedings of the 6th and 7th meetings).

<sup>2</sup> *Ibid.* (Proceedings of the 13th meeting).

<sup>3</sup> *Ibid.* (Proceedings of the 1st meeting).

<sup>4</sup> *Ibid.* (Proceedings of the 5th meeting).

<sup>5</sup> *Ibid.* (Summary of remarks addressed to the Afghan delegates).

<sup>6</sup> Note presented by the Chief Af. Rep. dated 10-6-1920 (Progs. Jan. 1921, 137).

<sup>7</sup> *Ibid.* (Proceedings of the 8th meeting).

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.* (Proceedings of the 9th meeting).

intrigue in India and among the frontier Tribes, was discussed ; and the Afghan delegation warned that the ' gravest exception ' would be taken to any agreement which might be made with the Soviet Government facilitating intrigue by the latter in India.

In reply the Afghan Government were stated to be too weak to resist the wishes of the Bolsheviks in the matter, and a hint was given that, before making any attempt of the kind, they would need considerable material assistance from India. At the Eleventh and Twelfth meetings strong objections were made to the demarcation of the border at Torkham effected in accordance with the Rawalpindi Treaty, on the ground that it constituted a departure from the Durand Line. At the last meeting the Chief British Representative pointed out that the continued occupation of Arnawai, in Chitral, was evidently intended as a counter stroke to what the Afghan Government claimed to be the unjustifiable demarcation at Torkham. The two cases however had nothing in common, and the Afghan occupation of Arnawai was an 'open violation of the frontier'.<sup>2</sup>

(3) **The attitude of the British Government towards Afghan independence—six points.**—There were six points under this heading on which the Afghan delegation felt doubts :—

- (a) The fact that no answer had been received from His Majesty the King Emperor to the two letters addressed to him by the Amir on 10th September 1919 and 14th January 1920.

Mr. Dobbs explained that the first was a complimentary letter, sent at a time when, owing to Afghan negotiations with the Bolsheviks and intrigues with the tribes, the British Government had grave doubts as to the sincerity of the Amir's desire for our friendship. The second was a letter raising very important matters, and Mr. Dobbs asked to be excused from discussing the King's actions.

- (b) The omission to publish in the Press, together with the Treaty, Sir H. Grant's letter admitting the freedom of Afghan foreign relations.

It was explained that it would have only roused further feelings among the British people, who were already excited against Afghanistan over the war, if the letter had been published with the Treaty. An assurance was given that the letter was equally binding with the Treaty.<sup>3</sup>

- (c) When an Afghan Envoy had been sent to India, the Viceroy had said that, as the Envoy had come on the same principles as before, he was permitted to remain. This looked as if the British Government did not intend to treat Afghanistan as independent.

Mr. Dobbs explained that this was not the meaning of the letter, but that it was considered 'that the presence of an Afghan Envoy in India provided for the despatch of business between the two countries better than would be done by an Afghan Minister in London'.

The Chief Afghan Delegate stated that what they demanded was an Afghan Minister in London, and a Consul-General in India.

- (d) The Afghan Government's hope that they would be allowed to have an Envoy in London, a Consul-General at the capital of India, with Consuls at Calcutta, Bombay, and Karachi, and Vice-Consuls at Peshawar, Quetta, and Parachinar, and to receive a British Envoy and Consuls in Afghanistan had not been realised.

The point was reserved for consideration at the time of negotiating a Treaty of Friendship. Even if Afghan requirements were not met in full, that would not imply a diminution of Afghanistan's national status.

- (e) Sir H. Grant had laid down two conditions the fulfilment of which were incompatible with Afghan independence.

(i) the dismissal of Indian seditionists such as Mahendra Pratap, Obeidullah and Barkatullah from Afghan territory;

(ii) the dismissal from Afghan territory of all hostile foreigners, in particular Bolshevik Missions and Bolshevik Agents.

<sup>1</sup>Ibid (Proceedings of the 10th meeting).

<sup>2</sup>Ibid (Proceedings of the 17th meeting).

<sup>3</sup>Ibid (Proceedings of the 3rd meeting).

The Afghan delegation pointed out that anyone had a right of asylum in a Moslem country, but added that 'if our material interests were involved, and substantial friendship shown to us, we might perhaps be willing to waive some of these moral scruples'.<sup>1</sup>

At the resumption of the Conference on June 7th Mr. Dobbs made an important modification in the two conditions mentioned above, as laid down by Sir H. Grant at Rawalpindi.

'We do not even ask you to cease from relations with the Bolsheviks if you wish to maintain them. Far less do we ask you to attack the Bolsheviks. We ask you only to see that the Bolsheviks do not use you as a road for troubling us. We do not ask you to expel the Indian revolutionaries if you wish to keep them. We ask you only to take care that they shall not use your hospitality to trouble us, and in return for such friendship we wish to help you to become free, strong and prosperous'.<sup>2</sup>

The previous demand for expulsion had thus been replaced by one for control.

The reason for this modification is apparent from a minute recorded by Mr. Dobbs on December 12, 1919 :—

'Another point which I suggest we should seriously consider is the possibility of the British Government coming to some arrangement in the next few months for a recognition of the Bolshevik Government. We should look very foolish if, shortly after having made immense efforts to make the Afghans get rid of the Bolshevik emissaries, we had to consent to their admittance'.

(f) The omission to address the Amir as 'His Majesty'.<sup>3</sup> The official records do not show that any discussion of this point took place.

96. **The subsidy.**—Certain other questions, not mentioned in the memorandum originally presented by the Afghan Delegates, were also discussed. At the Eleventh meeting Abdul Hadi had claimed that the financial weakness of Afghanistan 'had resulted from the friendship with the British Government'.

He therefore asked that the crore of rupees promised to Amir Habibullah together with the balance of the annual subsidy due to him, should now be given.<sup>4</sup> Sir H. Dobbs took up the point at the Thirteenth meeting. He pointed out that the position had changed radically since the death of the late Amir, with whom there had been proved and uninterrupted friendship.

'Firstly, the friendship of the Afghan State has not been uninterrupted. Secondly, the British control of foreign relations has by mutual consent been given up ..... The two situations are not really comparable. Nevertheless the British Government, from a wide point of view, recognise that the progress and contentment of Afghanistan is the best way to secure that she shall be a peaceful and helpful neighbour'.<sup>5</sup>

97. **Forms of material assistance.**—Mr. Dobbs went on to discuss the various forms in which material assistance might be given. These included the grant of a subsidy, free transit of war material through India to Afghanistan, a gift of aircraft, and assistance in the education of Afghan youths in Europe, in the construction of railways, telegraphs, and telephones, in industrial development, and in the establishment of a banking system. The possibility of a rebate of customs duties on goods transiting India to Afghanistan was also indicated, and of permission being given to establish Afghan Trade Agencies in India. Postal arrangements between India and Afghanistan were also discussed, and the re-establishment of an official Afghan post office at Peshawar definitely refused.<sup>6</sup>

Permission to export opium, hemp drugs, and rouble notes, from Afghanistan to countries outside India was also requested, but no definite answer was given.<sup>7</sup>

98. **Miscellaneous topics.**—Other topics discussed were expert advice in regard to canals in Afghanistan; the prospects of Afghanistan acquiring shipping in spite of having no outlet to the sea; the justification for the arrest of Ghulam Haider, the Afghan Postmaster at Peshawar, and for the confiscation of his property; the claim of certain British firms against the Afghan Government;

<sup>1</sup>*Ibid* (Proceedings of the 4th meeting).

<sup>2</sup>Summary of Remarks by Ch. Br. Rep. at 5th meeting. *Ibid*.

<sup>3</sup>See para. 729. (Appx. IV.)

<sup>4</sup>(Proceedings of the 11th meeting). (Progs. Jan. 1921, 137).

<sup>5</sup>*Ibid* (Proceedings of the 13th meeting).

<sup>6</sup>*Ibid* (Proceedings of the 16th meeting) and see para. 651.

<sup>7</sup>*Ibid* (Proceedings of the 15th meeting).

and the possibility of Sir Aurel Stein being allowed to travel in Balkh for purposes of archaeological research.<sup>1</sup>

99. **The aide memoire.**—An aide memoire ‘containing a summary of the intentions and wishes of the British Government regarding Afghanistan’ was presented by Mr. Dobbs to the Afghan delegates at the close of the Conference :—

*Note on proposals of the British and Afghan Governments discussed by the delegates of the two States at the Conference held at Mussoorie, between the months of April and July 1920, as a preliminary to definite negotiations for a Treaty of Friendship.*

(1) It was agreed that it is in the mutual interest of both Governments that the Afghan State shall be strong and prosperous.

(2) The British Government will be prepared to reiterate the undertaking, already given by them, to respect absolutely the integrity and independence of Afghanistan, both in internal and external affairs, and to restrain to the best of their ability all persons within the British boundaries from taking action obnoxious to the Afghan Government.

(3) The British Government expect that the Afghan Government will similarly undertake to prevent to the best of their ability all action within the boundaries of Afghanistan, whether by their own subjects or by British subjects who are or may in the future be refugees from the British Dominions, or by subjects of other nations, which may tend to stir up strife or produce enmity against the British Government within the boundaries of India. The British Government expect that the Afghan Government will undertake in particular to restrain their subordinate officials and others from inciting the frontier tribes within the British boundaries against the British, to prevent to the best of their ability the passage through Afghan territory to the British frontier of arms and ammunition and of persons intending to raise an agitation against the British Government, to prohibit preparations within Afghan territory for making raids into British territory, to punish persons found guilty of committing such raids, and to abstain themselves from all interference with tribes or persons on the British side of the frontier, and from all kinds of political propaganda within the British Empire.

(4) If the Afghan Government were willing to give formal undertakings as set forth in the foregoing paragraph, then the British Government, in the event of a Treaty of Friendship being signed, and in order to show their sympathy with the desire of the Afghan Government to develop their country, would be willing to consider, as part of a Treaty of Friendship, the grant, for so long as the Afghan Government performed its undertakings to the satisfaction of the British Government, of assistance and concessions to Afghanistan on the following lines:—

- (a) A yearly subvention of eighteen lakhs of rupees.
- (b) Reasonable assistance towards the education in Europe, at such places as might be agreed upon between the two Governments, of a moderate number of Afghan youths, to be selected by the Afghan Government with due regard to their educational qualifications.
- (c) Reasonable assistance, to be granted gradually, as financial and other circumstances might permit, towards the construction in Afghanistan of railways, telegraph lines, and factories, and towards the development of mines.
- (d) Technical advice regarding irrigation.
- (e) The manufacture and supply of specially prepared paper for the printing of Afghan currency notes and (if necessary) provision of machines for note printing.
- (f) Technical advice regarding the establishment of an Afghan Government or Commercial Bank, and regarding possibilities of improving the system of commercial credit in Afghanistan.
- (g) The restoration of the privilege of importing arms and ammunition and military stores through India to Afghanistan, provided that the Government of Afghanistan shall first have signed the Arms Traffic Convention, and provided that such importation shall only be made in accordance with the provisions of that Convention.
- (h) The grant in respect of all goods imported into India at British ports for re-export to Afghanistan, and exported to Afghanistan by routes to be agreed upon between the two Governments, of a rebate at the time and place of

<sup>1</sup>Ibid (Proceedings of the 16th meeting).

export of the full amount of customs duty levied upon such goods, subject to a deduction of not more than one-eighth of such duty as recompense for the work of customs registration, and provided that such goods shall be transported through India in sealed packages which shall not be broken before their export from India.

- (i) An undertaking to levy no customs duty on such goods of Afghan origin or manufacture as may be lawfully imported into India, provided that such goods shall not be exempted from the levy of the present Khyber tolls, and from the levy of octroi in any Indian Municipality, in which octroi is, or may be hereafter, levied.
- (j) An undertaking to permit the export from Afghanistan through India, in bond, and in sealed packages, by routes to be agreed upon between the two Governments, of opium and charas produced and manufactured in Afghanistan, provided that such opium and charas shall not be despatched from Indian ports to any destination to which the British Government are under an obligation to prohibit or limit the despatch of opium or charas.
- (k) The facilitating of the interchange of postal articles between India and Afghanistan, and arranging in accordance with a separate postal agreement for the establishment of offices of exchange on their frontiers, provided that neither Government shall be permitted to establish a post office in the territory of the other Government.
- (l) Permission to establish at Peshawar and Quetta trading agencies of the Afghan Government, provided that the personnel and property of the agencies shall be subject to the operations of all British laws and orders and to the jurisdiction of British courts, and that they shall not be recognised by the British authorities as having any official or privileged position.
- (m) Permission to establish Afghan Consulates at Calcutta, Bombay and Karachi, provided the Afghan Government permit the establishment of British Consulates at Jalalabad, Ghazni, and Kandahar. The Consuls of both Governments, with their staffs, to enjoy all the privileges conceded by international practice to such officials.

(5) In the event of the conclusion of a Treaty of Friendship the British Government would be prepared, on its signature, to make the following gifts to the Afghan Government, as immediate and tangible tokens of the sincerity of their intentions :—

Either the following :

#### A

- (a) 160 miles of steel telegraph posts, with a double wire, to be handed over either at Chaman or at Peshawar.
- (b) 10 new large motor lorries with spares.
- (c) 20 new touring cars with spares, American make, owing to difficulty in obtaining prompt delivery of new English cars.
- (d) 300 soldiers' pals (bivouack tents).

Or the following :

#### B

460 miles of steel telegraph posts with a double wire. (N.B.—This would be sufficient for the construction of a telegraph system from the British frontier to Kabul and from Kabul to Kandahar ; but it must be explained that immediate delivery could be made only of 160 miles, which would suffice for the line from the British frontier to Kabul. The balance of 300 miles could not be made available in less than a year from now, owing to shortage of material in India).

(6) The following points are reserved for further consideration at the time of negotiating a Treaty of Friendship :—

- (a) Permission to export from Afghanistan rouble notes through India to countries outside India where their entry is permitted.
- (b) Representation of the Afghan Government in London.

100. **Origin of the aide memoire.**—During the discussions at Mussoorie some important correspondence had taken place between His Majesty's Government, the Government of India and the British Representative, regarding the necessity of giving the Conference some tangible result, by informing the Afghan delegation of the British views as to the mutual obligations which should in future be undertaken by the British and Afghan Governments.

On June 15 Mr. Dobbs had telegraphed :—

<sup>1</sup> During the last few days I have received numerous informal messages from the Afghan delegates begging me to represent to Government the serious disadvantages of

present limited scope of discussions..... Tarzi.... says that we should strike while the iron is hot, and by definitely laying down now, in explicit terms, what we are prepared to do for Afghanistan and what we expect of her, anchor Afghanistan to our side. He would then return to Afghanistan with these definite proposals and his Government could then decide immediately what its future policy shall be'.<sup>1</sup>

This view was supported by the Government of India who remarked :—

' Besides the foregoing arguments there are the additional new facts that Suritz has now received definite authority to make Afghanistan an offer of money, arms and material..... There appears to be every probability that, if the adoption of this policy is not permitted, the Amir, in order to obtain funds without delay, may be forced into the arms of the Bolsheviks..... In the changed circumstances insistence on a further period of probation would not, in our opinion, be wise, and we think we should be empowered to make a clear statement to Afghans of what we are prepared to give them in the shape of a subsidy, and what action we shall require of them in return '.<sup>2</sup>

This proposal was sanctioned, and resulted in the aide memoire which was presented to the Afghan delegates at the close of the Conference.

**101. Mr. Dobbs proposes to conclude Treaty at Mussoorie.**—On July 13 however Mr. Dobbs hearing of Jemal Pasha's mission to Kabul went much further :—

' The news regarding Jemal Pasha which was communicated yesterday seems to transform the situation radically.

Firstly. Hitherto it has been the wish of the Soviet Government to keep our frontier in disorder only, and not to involve Afghanistan. Now a wish to push Afghanistan into war with us is definitely declared by them.

Secondly. The presence of famous Turkish officer will reinforce the influence of Suritz powerfully..... Would it not be best in the transformed situation to strike while the iron is hot and clinch the matter before the delegates leave, by negotiating and signing a definite treaty ?..... we should avoid loss of prestige by bargaining, and the Amir would be able to confront the Bolsheviks and Turks with a definite signed treaty and pledged word '<sup>3</sup>

**102. The Government of India decide against this.**—That there was great force in Mr. Dobbs' argument became evident during the subsequent negotiations at Kabul, when the Amir was able to confront us with ' a definite signed treaty and pledged word ' in favour of the Bolshevik's :—

' Amir said that his word had been given to Russians, and he felt it a matter of great difficulty to take it back '<sup>4</sup>

but the Government of India were unable to accept these proposals. They considered that the probabilities were in favour of the Afghans ' discarding the Bolsheviks and turning towards us ', and time was therefore ' a factor in our favour'.<sup>5</sup> There were also practical difficulties of detail. Both the Government of India and His Majesty's Government were definitely committed to the programme of the six months probation, and good behaviour by the Amir, before the negotiation of a Treaty of Friendship. Although it was now clear that this policy had been based on incorrect premises, neither Government could approve the conclusion of a Treaty of Friendship, when all the conditions prescribed for it had been deliberately flouted by the Amir. In their telegram recommending the presentation of the aide memoire, the Government of India had assured the Secretary of State that ' question of any immediate new agreement will not of course be entertained '<sup>6</sup>

Nor were they assured of S. Mahmud Tarzi's authority to sign a Treaty at all.

Mr. Dobbs was accordingly informed :—

' The amplest consideration has been given to your proposal by the Government of India, who recognise that there is much force in what you say. They regret however that your arguments do not convince them that the moment has come to give a rough draft treaty to the Afghan delegates to take back to Kabul, and still less to conclude here and now a permanent treaty..... It will be for the Amir to take the next step, and if he asks us to negotiate a treaty of friendship, it will to some extent show his sincerity. The Government of India

<sup>1</sup>Tel. 74 (15-6-1920), from Chief Br. Rep. Mussoorie, to G. of I. (Progs. Jan. 1921, 26).

<sup>2</sup>Tel. 759 (19-6-1920), from Viceroy, to S. of S. (*ibid.*, 41).

<sup>3</sup>Tel. 5622-49-M. (13-7-1920), from Ch. Br. Rep. Mussoorie, to G. of I. (*ibid.*, 86).

<sup>4</sup>Tel. 85 (10-4-1921), from Br. Rep. Kabul, to G. of I. (A. S. V.-151).

<sup>5</sup>Minute by offg. For. Secy., to G. of I. (14-7-1920). (Progs. Jan. 1921, n. p. 31).

<sup>6</sup>Tel. 759 (19-7-1920), from Viceroy, to S. of S. (*ibid.*, 41).

have therefore come to the conclusion that....the deputation should now go back to Kabul with a written statement given to them by you. And on the basis of that aide memoire the Government of India are ready to negotiate at once a treaty of friendship, if the Amir on his part is prepared to enter into negotiation on those terms'.<sup>1</sup>

**103. Facilities for Amir to propose a Treaty.**—But although, as the Government of India had said, it was for the Amir to take the next step, they wished to give him every facility for taking it, and were not in favour of any more probationary periods :—

' Suggestion has been made that His Excellency the Viceroy should reopen correspondence with the Amir immediately after the return of delegates to Afghanistan, and so facilitate next step towards a Treaty of Friendship'.<sup>2</sup>

' Sentence suggested by you would in all probability be interpreted as intention on our part to impose further probationary period, and I would therefore deprecate its substitution for the original'.<sup>3</sup>

Accordingly ten days after the Afghan delegates had crossed the frontier on their return to Afghanistan, the Viceroy wrote a letter to the Amir of which the main significance lay in the sentence :—

' I wish to assure you that if, after having fully considered this statement,<sup>4</sup> you desire to conclude a Treaty of Friendship, and if the attitude of your Government and officials is clearly consistent with that desire, there will be no obstacle on the part of my Government to negotiating a Treaty'.<sup>5</sup>

**104. The value of the Mussoorie Conference.**—The Government of India, in their Despatch, forwarding a copy of the proceedings with Mr. Dobbs' report, wrote :—

' It may be claimed that some obstacles to the establishment of friendly relations have been removed, and that there is a hope of a better understanding with Afghanistan.

\* \* \* \* \*

In any event it is a great gain that the critical spring and summer of 1920 should have passed without any grave cause for anxiety on the frontier, and to this result the holding of the Mussoorie Conference has in our belief contributed'.<sup>6</sup>

**105. Two incidents (a) Death of Nasrullah.**—Two events of some importance occurred in Kabul during this period. Nasrullah Khan, uncle of the Amir, who had been sentenced to imprisonment for life at the Kabul Darbar of April 13, 1919<sup>7</sup> died in jail, having been poisoned, according to popular report, by order of the Amir.

(b) **The Safi Regiment plot.**—In June 1920 the Safi Regiment, which was recruited from Tagao, was found to be organising a mutiny in favour of Inayatullah, whose mother was a Tagawi. It was reported that fourteen men were blown from guns, and the regiment disbanded. Inayatullah was kept in his house under surveillance.<sup>8</sup>

**106. Retrospect of the period.**—After the Treaty of Rawalpindi the Amir was given six months as a period of probation, in which he was to show his desire for friendship by the fulfilment of certain conditions (paras. 86, 87). He flouted these conditions in order to show that ' peace without friendship is impossible ', and that therefore the British Government could not afford to remain aloof from him (para. 88). The Government of India were then in a quandary. Their stipulations had been disregarded, but they could not stand aside and see the Amir throw himself into the arms of the Soviet Government, whose mission under Suritz was then in Kabul (para. 89). On the other hand they were committed to the attitude that a Treaty of Friendship was impossible until the Amir had shown the sincerity of his intentions (para. 84).

As a compromise the Amir was invited to send a delegation to Mussoorie, where outstanding points of difficulty were discussed, and the Amir was given in an aide memoire the basis on which the Government of India were prepared to negotiate a Treaty of Friendship (paras. 94—100). Although Mr. Dobbs' proposal that a definite treaty should be signed at Mussoorie was not approved, facilities were given to the Amir to suggest the negotiation of such a Treaty (paras. 101—103).

<sup>1</sup>Tel. (16-7-1920), from G. S. Simla, to G. S. Mussoorie (Progs. Jan. 1921, 90a).

<sup>2</sup>Tel. 918 (23-7-1920), from G. of I., to Br. Rep. Mussoorie (*ibid.*, 108).

<sup>3</sup>Tel. 957 (30-7-1920), from Viceroy, to S. of S. (*ibid.*, 128).

<sup>4</sup>(i.e., the aide memoire).

<sup>5</sup>Kharita S. P. O. A. (9-8-1920), from Viceroy, to Amir (Progs. Jan. 1921, 135).

<sup>6</sup>Despatch No. 86, from G. of I., to S. of S. (*ibid.*, 139).

<sup>7</sup>Para. 38.

<sup>8</sup>Tel. 1699 (17-6-1920), from N.-W. F., to G. of I. (Progs. Jan. 1921, 38).

### PERIOD III.

FROM THE CLOSE OF THE MUSSOORIE CONFERENCE (24-7-1920) TO  
THE DEPARTURE OF THE BRITISH MISSION FROM AFGHANISTAN  
(4-12-1921).

### CHAPTER VIII.

#### THE SITUATION IN THE NEAR AND MIDDLE EAST.

**107. Turkey.**—On August 10, 1920, the Treaty of Sèvres was signed, together with the Tripartite agreement between Great Britain, France and Italy, regarding Anatolia. The struggle between the Greeks and Turks continued with varying fortunes until September 16, 1921, when the Greek withdrawal began, which eventually resulted in the evacuation of Anatolia.

Relations between the Angoran and Soviet Governments although occasionally strained, as in December 1920 over the respective claims of the two Governments in Armenia, remained outwardly friendly, and were cemented by the signature of a Treaty at Moscow on March 16, 1921. It was a matter of common knowledge that as long before as the 'Sykes-Picot Agreement' of 1916, jealousy in regard to the recognition of their several interests in Turkey had been at work among the Allies, and this tendency became even more marked after the signature of the Treaty of Sèvres. France and Italy showed signs of acting independently of Great Britain, and the conclusion of the Franklin-Bouillon agreement of October 20, 1921, by which France virtually abandoned her claims to the 'zone' allotted her by the Tripartite agreement of Sèvres, was a public advertisement of this divergence. Profiting by disunion among the Allies and the support of the Soviet, the Angoran Government steadily improved its position.

It is not easy to state with certainty the precise nature of the relations between the leaders of the Union and Progress Party, comprising Enver, Talaat, Jemal, Khalil, and Nuri Pashas, and the Soviet Government at this time. In January 1921, Talaat was in Switzerland and in touch with Berlin, Khalil at Tashkent, Jemal at Kabul, Nuri in the Caucasus, and Enver at Moscow all co-operating with the Bolsheviks in a campaign of anti-British intrigue and propaganda, and supplied with Bolshevik funds for the purpose. It seems highly probable however, from Enver's subsequent activities and death in Turkestan, that the Turkish leaders were in reality pursuing some Pan-Turanian designs of their own, and only waiting for a favourable turn of events to discard their rôle of Bolshevik agents. So far as the Pan-Islamic movement, as promoted by the C. U. P. leaders, served to damage British interests in the East, it suited the policy of the Soviet Government to support and finance it. There is evidence however to show that the Bolsheviks did not altogether trust either Enver or Jemal, and suspected them of Pan-Turanian designs which threatened Russian predominance in the Central Asian States and Trans-Caucasia. Mustapha Kemal while approving the Pan-Islamic movement as a cover for the Pan-Turanian, and consequently to this extent in sympathy with the C. U. P. leaders, was personally jealous of their influence, as endangering his own position. The Angoran Nationalists, C. U. P. leaders and Soviet Government were thus all co-operating in an uneasy association, based on their common hostility to Great Britain and the willingness of the Bolsheviks to finance any intrigue which would damage British interests, but tempered by mutual suspicion. The immediate objects of Jemal Pasha's mission to Kabul are known to have been the re-organisation of the Afghan army, and the prosecution of intrigue, both among the tribes of the Indo-Afghan frontiers, and in India itself, through the agency of Haji Abdul Razzak, the Khilafat Committee, and Indian revolutionaries. One of these, Barkatullah, accompanied him to Kabul. Jemal Pasha left Kabul on September 2, 1921, and was assassinated at Tiflis on July 21, 1922.

**108. Russia.**—The Soviet Government was busily engaged at this time in intrigue and propaganda against the British Empire; Lenin, Trotsky and Tchitcherin openly denouncing Great Britain as their chief enemy, and the main obstacle to the spread of their doctrines.

In Trans-Caucasia and Turkestan they were consolidating their recent gains, and Moslem revolts in these regions were stamped out with ruthless ferocity. In August 1920 a revolution was organised in Bokhara, and the Amir overthrown. He, with hundreds of other refugees from Bolshevik oppression, fled eventually to Afghanistan, where the tale of their sufferings produced a profound impression, and served to open the eyes of the Afghan people to the true value of the Soviet's professions of sympathy with Moslem peoples. It was at this juncture, and apparently in a revulsion of feeling caused by the Bokharan débâcle, that the Amir invited a British mission to Kabul.<sup>1</sup>

The conclusion of peace with Poland in the autumn of 1920 enabled the Soviet Government to initiate a vigorous offensive against General Wrangel, who on November 14, was forced to evacuate Sebastopol. By the end of 1920 the Bolshevik Government had thus definitely established its power.

In the following spring however European Russia was in the throes of economic collapse, followed in the summer by plague and famine.

The Anglo-Soviet Trade Agreement, concluded in March 1921, was published with a note addressed by Sir R. Horne to Krassin, setting forth the evidence available regarding the anti-British activities of the Russian Government. Tchitcherin in his reply undertook to avoid all action or propaganda hostile to Great Britain in the sense provided against by the agreement.

The Russo-Afghan Treaty signed at Moscow on February 28, 1921, was ratified by the Amir on August 14.<sup>2</sup> As the activities of which Sir R. Horne's note had complained continued unabated, a second note was sent by Lord Curzon on September 7, 1921, detailing breaches of the Trade Agreement by the Soviet Government. For some time after this date the latter were more careful to conceal their hostile intrigues, which were however by no means abandoned.

In October 1921, the Treaty of Kars was negotiated between Azerbaijan, Georgia, and Armenia on the one side and Angora on the other, with Russia as an 'assenting party'. This Treaty, while formally recognising the independence of the Trans-Caucasian Republics, really left them under the complete control of the Soviet Government.

**109. Persia.**—The failure of the Persian Government to ratify the Anglo-Persian agreement by the date fixed (December 31, 1920), was hailed as a triumph for 'Bolshevik' diplomacy. The formation in February 1921 of Zia-ed-din's ministry, which was regarded as being in sympathy with British aims, was followed by its fall in May. Rothstein, the Soviet Minister in Tehran, made full use of the consequent decline in British prestige to promote a campaign of anti-British propaganda, which was rewarded with some success. The rise of Reza Khan to power in 1921 marked the beginning of the Nationalist régime, and the determination of Persia to free herself from foreign tutelage.

The reverses which British diplomacy suffered in Persia during this period were duly noted in Kabul :—

' Expressions used by Afghans made it clear that Persian situation is having a very pernicious effect already.'<sup>3</sup>

**110. Mesopotamia.**—The Arab rising broke out on July 2, 1920. On September 17, the India Office announced the intention of His Majesty's Government to send a mission for the establishment of an Arab State in Iraq, and peace was practically restored by the end of the year.

**111. Syria.**—At the San Remo Conference in April 1920, France had been granted a mandate over Syria. The decision was opposed by Feisul as a breach of the promise of self-government, which, he claimed, extended to the whole of Syria. On July 15 French forces began hostilities against him, and on July 25 occupying Damascus, overthrew the Arab National Government. Events in Mesopotamia and Syria during this period thus gave ample openings for Pan-Islamic propaganda.

**112. Morocco.**—In July 1921, a Spanish army of 20,000 men was destroyed by Abdul Karim, the Riff leader, at Annual. The Spanish disasters were a severe blow to European prestige, and the fortunes of Abdul Karim, as a Moslem leader striving to free his country from Western domination, were followed with interest in the Kabul newspapers.

<sup>1</sup>Paras. 127, 128.

<sup>2</sup>Para. 718. (Appx. III).

<sup>3</sup>Tel. 23 (28-1-1921) from Br. Rep., Kabul to G. of I. (A. S. IV 780).

## CHAPTER IX.

### THE SITUATION IN INDIA.

#### A.—THE INTERNAL SITUATION.

**113. Alliance between Mr. Gandhi and the Ali brothers.**—During the latter half of 1920 the alliance between the Ali brothers and Mr. Gandhi maintained its strength, and agitation connected with the Khilafat question and the non-co-operation movement became intensified.

In July 1920, Mr. Gandhi added 'Swaraj' to the objects to be achieved by non-co-operation, and in August the chief obstacle to the spread of the movement among the educated Hindu classes was removed by the death of Mr. Tilak. In September the National Congress accepted the principle of non-co-operation and resolutions were passed to put it into practice. Although these resolutions were more honoured in the breach than in the observance by professing followers of Mr. Gandhi, they produced a profoundly disturbing effect on political conditions. December 1920 found Mr. Gandhi still dominating the Congress and impelling it to favour the more extreme views of the Ali Brothers regarding the possibility of severing the British connection with India. The 'National Volunteers' were organised at this time. These, although originally intended for social service and the maintenance of order at public meetings, soon developed into semi-military formations wearing uniforms and displaying a notable disregard of their leader's precepts of 'non-violence'. During the first half of 1921 sporadic disorders and rioting occurred throughout India, while the speeches of the extremist leaders became extravagantly disloyal in tone. Mr. Mohammad Ali, for instance, in a speech at Madras stated that, if the Amir of Afghanistan invaded India to free her from the infidel, it would be the duty of Moslems to assist him.

In May 1921 however Mr. Gandhi was granted several interviews by the Viceroy, Lord Reading, and the Ali Brothers apologised. Their repentance was short lived. In July, at the Khilafat Conference held at Karachi, their speeches were more violent than ever advising the declaration of an Indian Republic, if the demands of the Khilafat party remained unsatisfied. They also called upon Moslem sepoys in the Army to desert.

**114. The Moplah rising.**—On August 20, as a direct result of the Khilafat agitation, the Moplahs, a Moslem community in Malabar, rose in revolt, murdering and forcibly converting Hindus wholesale. Khilafat flags were displayed and a Khilafat Kingdom proclaimed. Military force had to be used for the suppression of the rebellion, and operations continued until February 1922 when martial law was withdrawn. The Moplahs lost upwards of 3,000 in killed alone, while casualties among the troops totalled 169.

Mr. Gandhi's subservience to Moslem feeling, and the atrocities perpetrated on Hindus in the Moplah outbreak, now began to cause dissensions in the extremist party, and to alienate his Hindu followers.

**115. Prosecution of the Ali brothers.**—The prosecution in October of the Ali brothers, and their sentence to two years' rigorous imprisonment caused no disturbance.

**116. The Bombay riots.**—On November 17, the Prince of Wales landed at Bombay, and on the same day, as a result of Mr. Gandhi's agitation, riots broke out in the city, resulting in 450 casualties.

**117. The economic situation.**—The economic position during this period was also one of considerable difficulty. At the close of the year 1920 the exchange value of the rupee dropped to 1s. 5½d. and importers, who had entered into contracts when it stood at nearly double this figure, found payments embarrassing. A trade slump had followed the boom of 1919, and the poor monsoon of 1920 caused a severe rise in the price of food grains.

The year 1920-21 closed with a deficit of £18 millions. The monsoon of 1921 was favourable but the trade depression continued throughout the year with a steady fall in exports up to December.

#### B.—THE SITUATION ON THE FRONTIER.

**118. Mohmands.**—In spite of the agitation by the Haji of Turangzai the tribe remained steady, showing little sympathy with the 'hijrat' movement and actually looting some returning 'muhajirin.'

119. **Afridis.**—In October 1920 raids by Zakka Khel increased, and two British soldiers were carried off from Peshawar. They were returned without ransom at the end of November.

In Kohat on November 14 a serious outrage was committed by Mirzali, a well known raider. Lt.-Col. Foulkes, A.D.M.S., of Kohat was killed, and his wife so seriously injured that she died.

Satisfactory progress was made with the general settlement, and in November the Zakka Khel jirga, the last recalcitrant section, came to terms. Throughout 1921 the tribe was generally amenable, in spite of the efforts of Mullah Said Akbar to obstruct work on the Khyber railway.

Mirzali was expelled from his home by the Shalobar Kambar Khel, and his house burnt.

In September the Afridis were invited to attend a jirga at Jalalabad by the Afghan Governor, Hashim Khan, who had succeeded his brother Nadir Khan in August 1920. A certain number of the Kambar and Malikdin Khels attended, but returned disappointed with their reception.

120. **Mahsuds.**—In October 1920 contracts for work on the road to be constructed up the Tank Zam were accepted by the Mahsud jirga, and the attitude of the tribe, except for a few recalcitrants, was satisfactory.

During 1921 however the intrigues of Haji Abdul Razzak and his agent Mullah Bashir succeeded, with the connivance of Shah Mahmud, the Governor of Khost, in causing many attacks on our convoys and lines of communications. The shelling of Makin and its vicinity in June prevented the recalcitrant Abdullaies under Musa Khan from cultivating their crops, and by the end of December a settlement was effected with this section.

121. **Wana Wazirs.**—The Wana Wazirs had been responsible for most of the raiding carried out in Zhob during the latter half of the Afghan War, including the disaster at Kapip on July 15-16, 1919, where our casualties amounted to over 100, with the loss of two guns. They were greatly under the influence of Haji Abdul Razzak who had come from Kabul with Colonel Shah Daulah for purposes of anti-British intrigue. In September they surrounded Drazinda post, and in October attacked Kaur Bridge Camp causing ninety casualties.

On October 10th the *jirga* was given the terms of settlement, and an interval of one month allowed for compliance. The *jirga* failed to attend within this period and a column advanced to Wana. On November 20 the *jirga* accepted the terms but subsequently failed to carry out its undertakings, and operations against the tribe became necessary in February 1921. The terms were finally accepted in September, and the regular troops at Wana replaced by Khassadars on December 1.

122. **The districts.**—How badly the administration of the North-West Frontier Province in the tribal areas had been shaken by the Third Afghan War, was shown by the orgy of successful raiding, which continued in the settled districts long after peace had been concluded.

In 1919-20 611 raids were reported, with casualties amounting to 690 British subjects killed or wounded, and 463 kidnapped. In 1920-21 the figures, although showing an improvement to 391 raids, 310 killed and wounded, and 56 kidnapped, afforded clear evidence that much still remained to be done for the restoration of order.

123. **Baluchistan.**—In June 1920 the abduction of Sher Zaman, Naib Tahsildar, occurred, followed two months later, by that of Mr. Scriven.<sup>1</sup> From August 1920 to March 1921 there was little raiding, and good progress was made with the work of reconstruction. The Zhob Militia was reorganised on a less regular model than before, and in the winter of 1920-21 the posts north of Fort Sandeman were reoccupied.

As time went on however, and the Kabul negotiations produced no definite result, conditions again became unsettled on the northern border.

In April 1921, a daring raid was carried out by Sher Jan Kharot, whose gang of Suléman Khélis stayed within the British border for eleven days and penetrated a hundred miles into British territory.

On November 22 Captain Bright, R. A. V. C., was held up and killed on the Loralai road, by a stray gang, and on November 25 the Barshor raid was carried out by the Shahjui Wazirs.<sup>2</sup>

<sup>1</sup>Para. 125.

<sup>2</sup>Para. 188.

## CHAPTER X.

### NARRATIVE OF EVENTS.

124. **Afghan Diplomatic Missions.**—During the interval between the close of the Mussoorie Conference (July 24, 1920), and the departure of the British Mission to Kabul (January 5, 1921), two incidents illustrated the determination of the Amir to enter into free and direct diplomatic relations with other countries.

- (a) As long before as June 4, 1919, General Muhammad Wali Khan had arrived at Tashkent,<sup>1</sup> at the head of a mission bound for Moscow, where he conducted the preliminary negotiations for the Russo-Afghan Agreement. His nominal appointment was Envoy to Bokhara and he had returned to Tashkent in June 1920. On July 25, 1920 he again left for Moscow where he eventually concluded the Treaties with Russia and Angora.
- (b) On August 1, 1920<sup>2</sup> the Consul-General, Kashgar, reported the arrival, in July, of an Afghan mission to China led by Abdul Karim Khan, and including the notorious Mahendra Partab. This mission, conveying letters from the Amir, was intended to negotiate a Treaty of Friendship with the President of the Chinese Republic.

125. **The cases of Mr. Scriven and Sher Zaman, Naib-Tahsildar, Zhob.**—Some correspondence took place at this time between the Foreign Secretary to the Government of India and the Afghan Foreign Minister, regarding the abduction to Afghanistan of Sher Zaman, Naib-Tahsildar of Zhob by marauders from Mukur on June 10, and of Mr. Scriven, Assistant Engineer, who was kidnapped in August from Kundi station on the Nushki railway.

An evasive reply by S. Mahmud Tarzi<sup>3</sup> in which he attempted to bargain for the redress of the raiders' grievances, before returning the captives, evoked a warning from the Foreign Secretary that his 'delay in ordering the release of these two British officers is regarded by His Excellency the Viceroy as a grossly unfriendly act'.<sup>4</sup>

Mr. Scriven and Sher Zaman were eventually released, and returned to British territory on October 26th, 1920.

126. **Arrival of Jemal Pasha in Kabul.**—On October 27, Jemal Pasha arrived in Kabul, at the head of a special Turkish mission, the objects of which have already been indicated.<sup>5</sup>

Throughout his stay in Kabul he was apparently in close liaison with the Russian Legation, and his influence was reported by Sir H. Dobbs to be consistently directed to the obstruction of the Anglo-Afghan Treaty negotiations.<sup>6</sup>

127. **Question of defensive alliance with Afghanistan and of gift of munitions to her.**—In September the Government of India received information that the excitement caused in Kabul by the revolution in Bokhara might shortly lead the Amir to press for the conclusion of a formal agreement with the British Government. It was anticipated that such overtures might be directed to secure either a defensive alliance, or else a free supply of arms and ammunition. The Government of India held that the first alternative was impracticable, but were inclined to grant the second:—

'In return we would insist, of course, on immediate signature of friendship treaty on lines already laid down, on sincere co-operation on Indian frontier between Afghans and ourselves, and, so long as Bolshevik menace to Afghanistan may subsist, on continuous friendly interchange of views on joint policy.'

<sup>1</sup>Tel. 862 (12-6-1919), from Viceroy to S. of S. (Progs. Aug. 1919, 250).

<sup>2</sup>Letter 214-1920 (1-8-1920), from C. G., Kashgar, to G. of I. (A. S. IV, 605).

<sup>3</sup>Letter 12 (21-9-1920), from Af. For. Min., to For. Secy. to G. of I. (*ibid.*, 617).

<sup>4</sup>Letter 42-P.O. (7-10-1920), from For. Secy. to G. of I. to Af. For. Min. (*ibid.*, 625).

<sup>5</sup>Para. 107.

<sup>6</sup>Para. 195.

<sup>7</sup>Tel. 1189 (24-9-1920), from Viceroy to S. of S. (A. S. IV, 615).

In reply the Secretary of State expressed a preference for a gift of money to one of arms, and concluded:—

'We must take care to prevent Afghans from manœuvring into position of keeping in with both sides, and, while evading corresponding obligations, deriving material assistance from both.'<sup>1</sup>

**128. Amir invites a British Mission to Kabul.**—On October 6, the Amir addressed the Viceroy inviting 'trustworthy representatives invested with power to conclude a Treaty' to Kabul.<sup>2</sup> At the same time S. Mahmud Tarzi wrote to the effect that the Amir would prefer an Englishman, rather than an Indian, to be empowered to sign the proposed Treaty.<sup>3</sup>

**129. Conditions proposed by Government of India for acceptance of this invitation.**—The Government of India, after discussing the arguments for, and against, acceptance of this proposal, concluded that the former outweighed the latter, but proposed certain conditions as precedent to the despatch of a mission to Kabul. These conditions included the following:—

- (1) That the British Mission be authorised from the outset to use the title of 'His Majesty' in referring to the Amir.<sup>4</sup>
- (2) That, as the mission would be sent only on the understanding that the stipulations made in the Mussoorie aide memoire were accepted by the Amir, the latter should be informed accordingly.
- (3) That no suspension of operations against the Wana Wazirs could be entertained, and that the fact should be made clear to the Amir.
- (4) That a British wireless installation and operators should be taken to Kabul, and employed by the Mission during the negotiations.<sup>5</sup>

It was now pointed out that, in view of recent developments, and particularly of the probable ratification in the near future of the Russo-Afghan Agreement, a rupture between the Bolsheviks and the Amir over the Bokharan question appeared unlikely, and that therefore an immediate decision as to the supply of arms to the Afghan Government was no longer necessary.

**130. Government of India contemplate possibility of British subsidy simultaneously with Bolshevik subsidy.**—The Government of India went on to suggest that, even if the Bolshevik agreement provided for the payment of an annual subsidy to the Amir, this should not be held to preclude the simultaneous grant of financial assistance to him by the British Government:—

'Contest of influence in Afghanistan between the Bolsheviks and ourselves consequent on such an arrangement would no doubt be found inconvenient, and eventually might prove.....embarrassing.'

But we have now to choose either absolute aloofness from Afghanistan, or participation with Bolsheviks in financing Afghan Government, and developing the country; unless we declare war on Afghanistan with a view to expelling Bolshevik influence, a step which would probably involve us in hostilities with the Bolsheviks as well..... The exclusive domination of Afghanistan, which we should doubtless much prefer, has been rendered impossible by development of events, unless we go to war.<sup>6</sup>

**131. Disclosure of Russo-Afghan Treaty terms to be made by Amir.**—The Government of India however noticed the desirability of obtaining accurate information as to the contents of the Russo-Afghan Agreement, before proceeding to negotiate a Treaty of Friendship with the Amir:

'We should make quite sure before renewed discussion of agreement with Afghanistan, whether she has actually signed an agreement with the Bolsheviks, and if so, that provisions inconsistent with our interests are not included in it.'

It was accordingly proposed to add another condition to those mentioned above,<sup>7</sup> requiring the Amir to disclose the terms of the Russo-Afghan Agreement.<sup>8</sup>

<sup>1</sup>Tel. 2284 (4-10-1920), from S. of S. to Viceroy. (A. S. IV, 622).

<sup>2</sup>Letter from Amir to Viceroy, 2 (6-10-1920) (*ibid.*, 631).

<sup>3</sup>Letter 16 (7-10-1920), from Af. For. Min., to For. Secy. to G. of I. (*ibid.*, 632).

<sup>4</sup>Para. 729 (Appx. IV).

<sup>5</sup>Tel. 1201 (15-10-1920), from Viceroy to S. of S. (A. S. IV, 633).

<sup>6</sup>Tel. 1214 (12-10-1920), from Viceroy to S. of S. (*ibid.*, 640).

<sup>7</sup>Para. 128.

<sup>8</sup>Tel. 1214 (12-10-1920), from Viceroy to S. of S. (A. S. IV, 640).

**132. His Majesty's Government agree to request for disclosure but negative simultaneous subsidies.**—The Secretary of State in his reply agreed:

'That a clear statement must be obtained from the Amir as to his position *vis à vis* the Bolshevik Government as an indispensable preliminary to the resumption of negotiations.'

But was not agreeable to the possible grant of a British subsidy to the Amir, if one was already being paid to him by the Soviet:

'His Majesty's Government.....agree that our coming to terms with Afghanistan need not necessarily be precluded by the mere existence of relations of a friendly character between the Afghan Government and the Bolsheviks, but the pretence of accepting plea of Bolshevik assistance in developing Afghanistan will not serve any purpose, when the fact that Bolshevik policy is inspired solely by the desire to damage us is a matter of common knowledge. Therefore, if it should turn out to be true that an agreement, on the lines indicated by evidence now at our disposal, has actually been concluded between Afghans and Bolsheviks, and that the former are not prepared to repudiate it, it would be impossible for us to contemplate Treaty of Friendship with Amir, involving renewal of his subsidy or grant of material assistance to his Government. In effect, to do this would be to subsidise a movement, which has for its declared aim the destruction of the British Empire.'

**133. Treaty of friendship impossible if Bolshevik Consulates established at Ghazni and Kandahar.**—The Government of India agreed that a Treaty of Friendship would be quite impossible if, as was believed to be provided in the Russo-Afghan Agreement, Bolshevik Consulates were established at Kandahar and Ghazni. They expressed a doubt however whether this provision was irrevocable.<sup>2</sup> The Viceroy accordingly wrote to the Amir:—

'We have reason to believe that amongst other clauses the Bolsheviks have stipulated for instance for the location of their Consulates at Ghazni and Kandahar in return for a subsidy. My friend, I find it difficult to believe that these Bolshevik claims can be founded on fact, for you will readily realise that, should any such agreement have been concluded in fact, it would render the conclusion of a friendship treaty between Great Britain and Afghanistan impossible.'

The letter ended with an intimation that, if the Wana Wazirs did not accept the terms offered them, it had been unalterably decided to take punitive measures against them.<sup>3</sup>

**134. The Amir evades disclosure but gives assurance as to Consulates.**—The Amir in his reply merely reiterated his wish to live at peace with all the world, and insisted on his freedom to enter into the usual international arrangements with other countries, adding an assurance that no Consulate, which might be established in Afghanistan, would be permitted to indulge in improper activities:—

'Consequently any Government which may wish to locate a Consulate in Afghanistan, and especially when it wishes to establish friendly relations with it, the location of such a Consulate will necessarily have as its foundation the same rules; namely, that it should not interfere in the political affairs of Afghanistan and of its neighbouring Governments and should do them no harm..... I confidentially assure Your Excellency that, just as this matter of the Russian Consulates at Kandahar and Ghazni has not yet been formally and finally arranged, so they will never be established for the purpose of causing harm to, and creating mischief in, the Dominions of Your Excellency's Government.'

**135. The Amir asks for suspension of action against Wana Wazirs.**—The Amir further suggested that action against the Wazirs should be deferred, pending the result of discussions with the British Mission.<sup>4</sup>

**136. The Government of India are prepared to waive disclosure, as condition of despatch of a British Mission to Kabul.**—The view taken by the Government of India of the Amir's reply was as follows:

'Amir has failed to comply with our stipulation that the terms of his agreement with the Bolsheviks should be furnished to us.'

But on only important point of draft agreement known to us, which is directed definitely against British interests, namely, contemplated establishment at Ghazni and Kandahar of Bolshevik Consulates, his assurance that final decision has not yet been reached, seems to us to be genuine, and to indicate that he is open to enter into discussion

<sup>1</sup>Tel. (29-10-1920), from S. of S. to Viceroy (A. S. IV, 651).

<sup>2</sup>Tel. 1266 (1-11-1920), from Viceroy to S. of S. (*ibid.*, 652).

<sup>3</sup>Letter G.P.O.A. (7-11-1920), from Viceroy to Amir (*ibid.*, 667).

<sup>4</sup>Letter 3 (16-11-1920), from Amir to Viceroy (*ibid.*, 675).

and negotiations on that point..... As to Wazir expedition, it would of course have been impossible to accept suggestion of Amir; but difficulty seems now to have been removed by Wazirs' submission.'

The Government of India dwelt on the dangerous consequences of persisting in the demand for disclosure of the Russo-Afghan treaty terms, and of a probable refusal by the Amir. They concluded :-

' On review of all these considerations we earnestly trust that His Majesty's Government will consent to Mission being despatched immediately.'<sup>1</sup>

**137. Reluctant assent by His Majesty's Government.**—This waiver by the Government of India of a condition which they had themselves suggested did not command itself to His Majesty's Government :-

' His Majesty's Government still entertain serious misgivings regarding the proposal which you make..... In any case Amir is guilty of deliberate evasion in not replying to our definite requests, and, once our Mission is at Kabul, the risk remains that our hands will be forced again and again by consideration that almost any concession on our part is to be preferred to not securing any agreement at all.'

His Majesty's Government, the Secretary of State went on to say, considered that to insist on the Amir giving a definite answer to the question put to him held out the best hope of arriving at a permanent settlement, but they did not feel justified in overriding the Government of India's considered judgment in the matter, and authorised the acceptance of the Amir's invitation if on mature consideration the Government of India adhered to their view.<sup>2</sup>

**138. The Viceroy accepts the Amir's invitation.**—The Viceroy, acting on the discretion thus allowed him, replied to the Amir intimating that the Mission would be sent as soon as possible.<sup>3</sup>

**139. Certain points referred to Secretary of State.**—Four points were then referred to the Secretary of State, as requiring urgent consideration :—

(1) Whether the Mission could be authorised to use the title of ' His Majesty ' with reference to the Amir.

This concession was, the Secretary of State replied, to be withheld until the conclusion of a satisfactory Treaty.<sup>4</sup>

(2) Whether the Amir should be informed that any Treaty concluded would have to be published under Article 18 of the Covenant of the League of Nations,

It was agreed by His Majesty's Government that the Amir should be so informed.

(3) Whether the Amir could be allowed diplomatic representation in London.

(4) Whether a minor rectification of the frontier at Torkham could be granted.

The Secretary of State reluctantly agreed that the last two points might be conceded, if absolutely necessary, and then only in return for an adequate *quid pro quo* in each case.<sup>5</sup>

**140. Arrival of Mission at Kabul.**—The British Mission arrived in Kabul on January 7, 1921.<sup>6</sup>

**141. Negotiations in Kabul.**—It is unnecessary to trace in minute detail the devious course of the negotiations in Kabul, which opened on January 13th, and closed with the signature of the Treaty on November 22nd, 1921. The bearing of these discussions on the more important questions arising from the present state of Anglo-Afghan relations is indicated in Part II.

There were three alternative forms of Treaty, towards which the negotiations at one time or another veered. Not that there was any orderly progress in the discussions by which the first, and then the second were successively examined and discarded, and the third finally accepted. On the Afghan side there

<sup>1</sup>Tel. 1360 (25-11-1920), from Viceroy to S. of S. (A. S. IV, 679).

<sup>2</sup>Tel. 3880 (8-12-1920), from S. of S. to Viceroy (*ibid.*, 682).

<sup>3</sup>Letter 7-P.O.A. (11-12-1920), from Viceroy to Amir (*ibid.*, 686).

<sup>4</sup>Paras. 129, and 729 (Appx. IV).

<sup>5</sup>Tels. 1420 (12-12-1920) and 4152 (19-12-1920), from S. of S. to Viceroy (A. S. IV, 690 and 697).

<sup>6</sup>It consisted of Sir H. Dobbs, Chief Representative, Mr. P. J. G. Pipon, Lt.-Col. S. F. Muspratt, Nawab Sir Sham Shah, and Mr. J. G. Acheson.

was constant bluffing, shifting of ground, and changes of front, with dramatic interventions by the Amir, and pretended supersession of the Chief Afghan representative. The British attitude on the other hand developed some modifications during the course of the discussions, while the existence of 'different shades of view', between His Majesty's Government and the Government of India<sup>1</sup> was apparent throughout, and increased the difficulties of Sir H. Dobbs' task.

#### 142. The three alternative Treaties.—

##### (1) The 'Maximum', or 'Exclusive' Draft Treaty.

*Preamble.*—Purpose of Treaty is stated to be 'the strengthening of ties of friendship'.

*Clause 1.*—Mutual certification of independence. Guarantee of assistance by British Government to Afghanistan in event of unprovoked aggression upon latter by Third Power. Co-operation promised by Afghan Government in maintenance of peace on North-West Frontier of India.

*Clause 2.*—Acceptance of Indo-Afghan Frontier as indicated in Art. V of Treaty of Rawalpindi, subject to minor realignment in favour of Afghanistan at Torkham.

*Clause 3.*—Diplomatic representation in Kabul and London, but Afghan Minister in London would ordinarily conduct diplomatic relations with Secretary of State for India.

*Clauses 4 and 5.*—Establishment of Afghan Consulates at Calcutta, Karachi and Bombay, and of British Consulates at Kandahar and Jalalabad. Rights of Consuls.

*Clause 6.*—Exclusion of Consulates of any Third Power from East and South Afghanistan; and in India, from the North-West Frontier Province, Baluchistan, and Dera Ghazi Khan.

*Clauses 7, 8, 9, 10.*—Certain concessions as to free importation of arms to Afghanistan, and exemption from customs duties of goods imported to Afghanistan.

*Clause 11.*—Establishment of Afghan Trade Agencies at Peshawar, Quetta, and Parachinar, with agreement for establishment of British Trade Agencies in Afghanistan as might be subsequently arranged.

*Clause 12.*—Postal facilities.

*Clause 13.*—Reciprocal supply of information regarding major operations intended against Frontier Tribes, the concern of either party with the welfare of the Tribes within the border of the other being admitted. Interchange of visits by Frontier Officers.

*Clause 14.*—Undertaking by Afghan Government to abstain from interference with tribes on British side of Frontier, to prevent intrigues against and raids on British territory, and to punish raiders.

Undertaking by British Government to prevent persons in British territory from taking action obnoxious to Afghan Government, and to abstain from interference with persons on Afghan side of Frontier.

Undertaking by both parties to abstain from political propaganda in territories of the other.

*Clause 15.*—Reciprocal declaration that neither party has concluded, or intends to conclude with Third Power any agreement directed against the other. Undertaking to exchange views before concluding with Third Power any agreement which affects the mutual interests of the Parties.

*Clause 16.*—Grant of annual subsidy of 40 lakhs of rupees to Afghanistan, with a single gift of telegraph material sufficient for a double line from Landi Kotal to Herat via Kabul and Kandahar.

*Clause 17.*—Saving obligations under Covenant of League of Nations or Convention on freedom of transit.

<sup>1</sup>Tel. 660 (1-2-1921), from S. of S. to Viceroy (A. S. IV 790).

<sup>2</sup>(A. S. VI. 174-A.).

*Letters attached to the Treaty.*

No. 2.—(From Afghan Foreign Minister). Notifies decision of Afghan Government to break off political relations with Russia.

No. 3.—(From British Representative). In view of breach with Russia promised in letter No. 2, undertakes to provide Afghanistan with munitions (including rifles, Lewis guns, light artillery, ammunition, and aeroplanes).

No. 4.—(From British Representative). In return for severance of Afghan relations with Russia, notifies modification of Frontier policy and consequential announcements to Mahsuds and to Wazirs of Wana.

Nos. 5, 6, 7.—Elucidate Clause 15.

No. 8.—(From British Representative). Expresses regret at impossibility of including in Treaty mention of Turkish Peace Terms, but gives assurance of good intentions of British Government in regard to Turkey.

(2) The 'Pis aller' Draft Treaty.<sup>1</sup>

*Preamble* as in Treaty (1).

*Clause 1.*—Certification by British Government of internal and external independence of Afghanistan.

*Clauses 2, 3, 4, 5, 6.*—As in Treaty (1).

*Clauses 7, 8, 9, 10.*—As in Treaty (1) except that free importation of arms will be dependent on signature by Afghanistan of Arms Traffic Convention.

*Clauses 11, 12.*—As in Treaty (1).

*Clause 13.*—As in Treaty (1) but containing neither admission of reciprocal interest in tribes, nor provision for exchange of visits by Frontier Officers.

*Clause 14.*—As in Treaty (1).

*Clause 15.*—As in Treaty (1), but without provision for exchange of views before conclusion of any agreement affecting mutual interests.

*Clause 16.*—Grant of annual subsidy of 25 lakhs of rupees with single gift of telegraph material sufficient for a double line from Landikotal to Kandahar via Kabul.

*Clause 17.*—As in Treaty (1).

*Letter attached to the Treaty.*

(From British Representative). 'In view of the requests received from the Afghan Government for information regarding the intentions of the British Government with respect to Waziristan' specifies the announcements to be made to Mahsuds and to Wazirs of Wana.

(3) The 'Minimum' or 'Gentlemanly' Treaty (as finally signed).

*Preamble.*—Purpose of Treaty is stated to be 'the establishment of neighbourly relations'.

*Article 1.*—Reciprocal certification of internal and external independence.

*Article 2.*—As in Treaty (2).

*Article 3.*—As in Treaty (2), but without proviso regarding dealings with India Office.

*Article 4.*—As in Treaty (2).

*Articles 6, 7.*—Correspond, with minor modifications, to clauses 7, 8, 9, 10 of Treaty (2).

*Article 8.*—As in Treaty (2). Clause 11, without provision regarding future British Trade Agencies in Afghanistan.

*Article 10.*—As in Treaty (2) Clause 12.

*Article 11.*—As in Treaty (2) Clause 13.

*Article 12.*—Provides for conclusion of a Trade Convention.

*Letter attached to the Treaty.*

No. 1.—(From British Representative). Gives assurance that British Government will not exercise right of stoppage of arms intended for transportation to Afghanistan, unless the Government of Afghanistan's policy is 'unfriendly or provocative'.

No. 2.—(From Afghan Foreign Minister). Undertakes to furnish list of arms to British Minister in Kabul previously to importation.

No. 3.—(From Afghan Foreign Minister). Undertakes, in return for customs exemptions granted in Article 7, to prevent establishment of Russian Consulates 'in positions or territories of Jalalabad, Ghazni and Kandahar.'

No. 4.—(From British Representative). 'As conditions of the Frontier tribes of the two Governments are of interest to the Government of Afghanistan' assurance is given that British Government has every intention of treating the frontier tribes generously, provided they abstain from outrages.

**143. The three Treaties compared.**—The distinctive features of the three Treaties may be briefly summarised. The 'Exclusive' or 'Maximum Treaty' was based on the requirements of the British Government, as defined by the Secretary of State, during the negotiation of the Treaty of Rawalpindi.<sup>1</sup> It aimed at the discontinuance of political relations between the Soviet and Afghanistan; the exclusion of Russian Consulates from East and South Afghanistan; and the cessation of Afghan intrigues on the British side of the Durand line. The price to be paid was a subsidy double that paid to Amir Habibullah; certain military commitments in the event of aggression on Afghanistan by a Third Power which the treaty itself would render probable; and lastly, the recognition of the Amir's right to represent the cause of our tribes, together with an admission of his success in doing so.

The 'Pis aller' was based on the Mussoorie 'aide memoire', and aimed at the control of anti-British elements in Afghanistan, rather than at their exclusion from the country<sup>2</sup>. It envisaged the maintenance of friendly relations by the Amir with the Soviet and the British Government simultaneously. In return for exclusion of the Russian Consulates from East and South Afghanistan, and an undertaking to cease intrigue on the British side of the frontier, it offered a subsidy slightly larger than that paid to Amir Habibullah.

The 'Gentlemanly' Treaty secured no elimination of Bolshevik influence; nor any undertaking by the Afghan Government to sever all connection with the Frontier tribes on the British side of the border, although an indication was given that any policy which was unfriendly or provocative might lead to stoppage of the importation of arms; while no liability as regards either a subsidy or military assistance was incurred. A letter attached to the Treaty secured the conditional exclusion of Russian consulates from Jalalabad, Ghazni and Kandahar. This Treaty was, it is important to notice, since the distinction has a very practical meaning to the Afghan mind, not a treaty of 'friendship' at all, but merely one of 'neighbourly relations'.<sup>3</sup>

**144. Subsidiary proposals.**—Besides these three main alternatives there were two minor proposals put forward at different stages of the negotiations:—

(a) the 'modified clean-cut'<sup>4</sup>, which was an emasculated form of the 'exclusive' Treaty, and, although intended to circumscribe Russian penetration and influence, allowed the retention of a Russian Minister at Kabul;

(b) an exchange of Ministers without a Treaty at all.<sup>5</sup>

**145. The first phase of the negotiations. Summary.**—January 13—April 5, 1921). The first phase of the negotiations began with a private meeting between the Amir, S. Mahmud Tarzi and Sir H. Dobbs on January 13, 1921. It comprised the discussion of an Afghan Draft Treaty, the provisions of which were entirely incompatible with the 'pledge' given by S. Mahmud Tarzi previously to the arrival of the Mission, that the outstanding points of difference between the two Governments were only 'trivial'; the consideration of the Draft ('pis aller') British Treaty; the presentation of Sir R. Horne's note to Krassin and its reaction on the Kabul negotiations; the production of an amended Afghan draft stated by S. Mahmud Tarzi to be 'absolutely final' and by Sir Henry Dobbs to be 'wholly unacceptable', and the resulting deadlock (April 5, 1921).

**146. Course of the first phase.**—On January 13, Sir H. Dobbs communicated to the Amir and S. Mahmud Tarzi the information at his disposal regarding the Russo-Afghan negotiations, and the objects of Jemal Pasha's Mission to Kabul,

<sup>1</sup>Paras. 56, 57.

<sup>2</sup>Paras. 95, 99.

<sup>3</sup>Paras. 191, 192.

<sup>4</sup>Para. 161.

<sup>5</sup>Para. 185.

and pressed for a statement of Afghan policy. The Amir evaded a direct reply, but offered an assurance that the Bolsheviks would not be allowed by Treaty to undertake action considered to be hostile to the British Government.

**147. The Conference of January 18.**—On January 18, Sir H. Dobbs and Colonel Muspratt had a conference with S. Mahmud Tarzi and Nadir Khan. The Afghan representatives gave assurances that:—

(1) ratification of the Russo-Afghan Treaty had not yet taken place, and that, even if it were ratified in Moscow, the Amir could decline to ratify.

(2) if the Amir were satisfied of British friendship, he would decline to ratify clauses hostile to the British Government.

(3) Jemal Pasha's mission was to reorganise the Afghan Army, and he would not be permitted to intrigue with the Frontier Tribes. Nadir Khan pressed for some concession to Afghan pretensions in connection with the British frontier tribes.

**148. The first Afghan draft.**—At the first and second official meetings held on January 20 and 24 respectively an Afghan Draft Treaty was discussed. Its provisions included:—payment of four crores thirty six lakhs to the Amir as compensation for expenses incurred by Amir Habibullah during the Great War, a plebiscite of British frontier tribes with a view to 'self-determination' as to the form of their future government, and a British undertaking that the Turkish Treaty would be amended.<sup>1</sup>

On Sir H. Dobbs pointing out that this draft differed fundamentally from the stipulations of the Mussoorie aide memoire<sup>2</sup>, S. Mahmud Tarzi said that it was 'merely paper scheme put forward with a view to discussion'. The difference, however, was so radical that Sir H. Dobbs anticipated an immediate breakdown of the negotiations. He made it clear that in this event the relations between the two Governments would not be those which had supervened on the Treaty of Rawalpindi.—

'From the day the Rawalpindi Treaty was signed we have exercised the greatest forbearance regarding numerous incidents. In future any measure which we may consider to be necessary for our security or our honour will be taken without hesitation'.<sup>3</sup>

**149. The 'tribal face saver'.**—At the Conference on January 18, Nadir Khan had said:—'We have made promises to the tribes. They are our coreligionists, and our own flesh and blood. We cannot abandon them.' The problem was now therefore how to make some concession to Afghan sentiment on this point, by which the Amir could save his face with the tribes. This proposed concession came to be known in the subsequent correspondence as 'the tribal face saver'.

The Chief Commissioner, N. W. F. Province, recorded his opinion that only two courses were open, either to insist on absolute non-interference with our tribes by the Afghan Government, or else to offer a concrete concession. He inclined to the second alternative and suggested an undertaking to be given for withdrawal from Wana.<sup>4</sup>

The clause drafted by Sir H. Dobbs as a 'face saver' provided for reciprocal information by the two Governments regarding any measures which might appear necessary for maintenance of order among the tribes on their common frontier, and for the periodical exchange of visits between British and Afghan frontier officers.<sup>5</sup>

This draft clause was, subject to a minor modification, approved by the Government of India;<sup>6</sup> but the Secretary of State took exception to the following phrase which occurred in it:—'The tribes of Afghan origin whose welfare has always been of close interest to the sentiment of the Afghan nation'.

The Secretary of State wrote:—

'The proposal to recognise formally the right of the Afghans to interest themselves in our Pathans, on grounds of common nationality, appears to me to be a point of the first importance. Surely this is a step of special significance. It is in effect a vital departure

<sup>1</sup>Tel. 19-C. (25-1-1921), from Br. Rep., Kabul, to G. of I. (A. S. IV 767.)

<sup>2</sup>Para. 99.

<sup>3</sup>Tel. 24-C. (30-1-1921), from Br. Rep., Kabul, to G. of I. (A. S. IV 784.)

<sup>4</sup>Letter 13-C. (20-1-1921), from Br. Rep., Kabul, to G. of I. (*ibid.*, 773).

<sup>5</sup>Tel. 124 (10-2-1921), from N.-W. F., to G. of I. (*ibid.*, 818).

<sup>6</sup>Tel. 31-C. (7-2-1921), from Br. Rep., Kabul, to G. of I. (*ibid.*, 809).

<sup>7</sup>Tel. 186 (10-2-1921), from Viceroy to S. of S. (*ibid.*, 816).

from our attitude on tribal questions hitherto consistently maintained and in my opinion it is highly desirable.....to uphold'.<sup>1</sup>

S. Mahmud Tarzi then gave Sir H. Dobbs 'a private assurance' that a settlement on the lines of his draft 'face saver' would be accepted by Afghanistan, 'if she were satisfied as to other clauses' of the Afghan draft Treaty.<sup>2</sup>

150. The 'pis aller' draft.—On February 18, Sir H. Dobbs telegraphed his first draft of a 'pis aller' Treaty on the lines of the Mussoorie aide memoire.<sup>3</sup>

In an important telegram, dated February 19, the Secretary of State expressed himself alarmed by the course which discussions were apparently taking. The Afghan tactics of aiming at piecemeal concessions would, he thought, result in spinning out negotiations until receipt of ratification of the Russo-Afghan Treaty:—

'Inference may perhaps be drawn that Afghans on their side intend to ratify. I therefore think that they should be reminded that His Majesty's Government have no intention of concluding Treaty with them unless they are completely satisfied as to the terms of Treaty with Bolsheviks, and that rupture of negotiations with us will be the inevitable consequence of ratification of Bolshevik Treaty without communication to us of text, as proposed to be ratified'.<sup>4</sup>

Sir H. Dobbs commenting on this telegram said:—

'I think that on paper, at all events, Treaty would give all guarantees needed by us against possible Bolshevik designs, and unless His Majesty's Government consider it impossible to leave it doubtful whether Afghanistan is to receive Russian subsidy, it would seem unnecessary to push demand for disclosure of Russian Treaty to point of rupture'.<sup>5</sup>

The Secretary of State was however dissatisfied with the 'pis aller' Treaty as a whole:—

'While we have already surrendered a great deal in the way of concessions to Afghans nothing at all comparable has been secured in return', and he suggested the possibility of providing for the British Government to offer the Afghan Government 'advice in a friendly way in regard to foreign relations of Afghanistan'. He reiterated that no Treaty could be signed

'unless and until we are assured that Bolshevik Treaty contains nothing directed against our interests..... It should in particular be understood that any treaty must *ipso facto* be held objectionable if it provides for payment of a subsidy to the Afghans by Bolsheviks'.<sup>6</sup>

On this Sir H. Dobbs remarked, after discussing the situation in Kabul:—

'It is not possible to entertain the hope of making Afghans, at any rate by respectable means, discard Russian subsidy or admit any measure of control of their foreign relations by the British'.<sup>7</sup>

The Government of India then asked the Secretary of State to modify his attitude:—

'We cannot enter into competition with Bolsheviks in auction, nor is it possible for us to afford to leave them in sole possession. If we are finally compelled to acquiesce in subsidies on both sides, it is not improbable that Bolsheviks will sooner or later fail to fulfil their engagements. Nothing could be better for us'.<sup>8</sup>

They urged that the only categorical stipulation should be for the exclusion of Bolshevik Consulates on the frontier of India; that communication of the actual terms of the Bolshevik agreement should be secured if possible; and that the grant of a Russian subsidy to Afghanistan should not be held necessarily to preclude the grant to her of a British subsidy also.

The Secretary of State replied to the effect that (1) if the Afghan Government rejected the proposals prohibiting Bolshevik Consulates on the Indian frontier and intrigue, negotiations should be broken off.

(2) If they accepted these proposals, they should still be required to disclose the terms of the Russo-Afghan Treaty.

<sup>1</sup>Tel. 1932 (11-1-1921), from S. of S., to Viceroy (A. S. IV 822), and see para. 95 (2).

<sup>2</sup>Tel. 40-C. (15-2-1921), from Br. Rep. Kabul, to G. of I. (A. S. V, 2.)

<sup>3</sup>Tel. 44-C. (18-2-1921), from Br. Rep. Kabul, to G. of I. (*Ibid.*, 9), see paras. 141—142.

<sup>4</sup>Tel. 1998 (19-2-1921), from S. of S., to Viceroy (A. S. V, 15).

<sup>5</sup>Tel. 50-C. (23-2-1921), from Br. Rep., Kabul, to G. of I. (*Ibid.*, 28).

<sup>6</sup>Tel. 1172 (23-2-1921), from S. of S., to Viceroy. (*Ibid.*, 29).

<sup>7</sup>Tel. 53-C. (27-2-1921), from Br. Rep., Kabul to G. of I. (*Ibid.*, 33).

<sup>8</sup>Tel. 287 (1-3-1921) from Viceroy to S. of S. (*Ibid.*, 39).

(3) If the terms were disclosed and considered by Sir H. Dobbs to be such as to justify continuance of negotiations, the instructions of His Majesty's Government should be taken.

(4) The idea of a subsidy being paid both by the British Government and Russia found 'little favour with His Majesty's Government'.

'Appearance (*i.e.*, of a subsidy) in the Bolshevik Treaty would I think render impossible the conclusion of our Treaty'.<sup>1</sup>

It will be noticed that the Secretary of State was no longer quite so definite as he had been in his telegram of October 29, 1920<sup>2</sup> in which he had said that simultaneous subsidies from the British and the Russian Governments were an impossibility; while in a telegram of July 29, he had characterised such an idea as 'absurd and indefensible'.<sup>3</sup>

**151. The Russo-Afghan Treaty signed at Moscow.**—On March 8, information was received that the Russo-Afghan Treaty had been signed by the Afghan Envoy at Moscow and the Russian Foreign Minister, and that it now required ratification by both sides.

Sir H. Dobbs anticipated rupture as the result of the instructions given by the Secretary of State, and decided therefore to 'give first place in renewed discussions to official request for disclosure of all the terms of Bolshevik Treaty'.<sup>4</sup> The next telegram from the Secretary of State however showed a decided change of tone:—

'Dobbs.....might for the moment merely say His Majesty's Government will expect terms of Treaty with the Bolsheviks to be disclosed to them, and that they take exception to subsidy and arms, but there is as yet no necessity to present the Afghans with anything approaching an ultimatum'.<sup>5</sup>

The Government of India now made a definite request that His Majesty's Government would reconsider their demand (1) for disclosure of the Russo-Afghan agreement and (2) that any Bolshevik subsidy or gift of arms to Afghanistan should be eliminated therefrom, and begged

'His Majesty's Government to accept our policy of concluding with Afghanistan a Treaty on the best terms we can secure following the lines of Dobbs' draft and taking our stand in the last resort only on the prohibition of Bolshevik designs definitely directed against us'.<sup>6</sup>

**152. The Anglo-Russian Trade Agreement and Sir R. Horne's Note.**—On March 16, the Secretary of State intimated that the agreement for resuming trade with Russia had been signed by Sir Robert Horne and Krassin that morning, and that the agreement was subject to the fulfilment of a condition that each party abstained from hostile action against the other, and from conducting outside its own borders any official propaganda aimed directly or indirectly against the institutions of the other.<sup>7</sup> The Government of India do not appear to have been kept informed of the progress of the negotiations preliminary to this agreement, and were surprised to find that use had been made, in Sir R. Horne's note accompanying the agreement, of information regarding which Sir Henry Dobbs had given the Amir an implied undertaking against publication.

The Secretary of State, in reply to the Government of India's telegram of 15th March<sup>8</sup>, stated that until the general situation was clearer he could not ask His Majesty's Government 'to set aside the views so strongly held by them'.<sup>9</sup>

**153. The effect on the negotiations of the Trade Agreement and Note.**—Sir H. Dobbs pointed out that the Kabul negotiations had been seriously affected by Sir R. Horne's note to Krassin, and the Trade Agreement with Russia:—

'Crux now obviously is whether Moscow, in response to British pressure, will decline to ratify draft Afghan Treaty and eliminate clauses in which provision is made for subsidy, arms, and Eastern Consulates. If Trade Agreement continues in operation in spite of their refusal to adopt this course, it will greatly weaken our position vis à vis Afghanistan, since it will be argued by Afghans that question has now become one of direct

<sup>1</sup>Tel. 1343 (5-3-1921) from S. of S. to Viceroy. (A. S. V. 48).

<sup>2</sup>Para. 132.

<sup>3</sup>Tel. 5708 (29-7-1920) from S. of S. to Viceroy (Progs. Jan. 1921, 126).

<sup>4</sup>Tel. 61-C. (7-3-1921) from Br. Rep. Kabul to G. of I. (A. S. V. 53).

<sup>5</sup>Tel. 1504 (11-5-1921) from S. of S. to Viceroy. (*Ibid.* 69).

<sup>6</sup>Tel. 372 (15-3-1921) from Viceroy to S. of S. (*Ibid.* 81).

<sup>7</sup>Tel. 1579 (16-3-1921) from S. of S. to Viceroy. (*Ibid.* 86).

<sup>8</sup>Para. 151.

<sup>9</sup>Tel. 1682 (22-3-1921) from S. of S. to Viceroy. (A. S. V. 106).

negotiation between British Government and Russia, and that it would be unreasonable for us to expect Afghanistan alone to undertake opposition to Russian policy which London negotiations have not succeeded in sustaining'.<sup>1</sup>

Sir H. Dobbs then visited Delhi to consult the Government of India, who after discussion with him suggested that the demand for disclosure of the Russo-Afghan Treaty terms should now be made by His Majesty's Government from Russia, instead of by Sir H. Dobbs from the Afghan Government as hitherto.<sup>2</sup>

On March 31, the 'Manchester Guardian' published the text of the Russo-Afghan Treaty.<sup>3</sup>

**154. The second Afghan draft.**—On April 5, Sir H. Dobbs reported the receipt from S. Mahmud Tarzi of an amended Afghan Draft Treaty with an official letter to say that it was 'absolutely final'. The terms included stipulations that the tribes who took part in the Afghan war should be excused from payment of fines, and surrender of rifles; and that the Afghan claim to Arnawai should be recognised. There was no provision excluding foreign Consulates in Eastern Afghanistan.

'Taken as a whole the Treaty is wholly unacceptable'<sup>4</sup> was Sir H. Dobbs' comment, and he accordingly prepared for a rupture of negotiations.

A deadlock had been reached, and April 9 was fixed for the final official meeting.

**155. The second phase of the negotiations (April 5—August 8, 1921).**—The second phase opened with the intervention of the Amir to resolve the deadlock of April 5, and comprised the proposal by the Secretary of State of the 'maximum' or 'exclusive' Treaty; the detailed discussion of this form of Treaty, its advantages, and the price worth paying for it; the definite decision of His Majesty's Government that an attempt should be made to secure it; the conclusion of a Treaty between Afghanistan and Angora; the arrival at Kabul on May 26 of Rosenburg with the Russo-Afghan Treaty for ratification; the fresh demands made by S. Mahmud Tarzi for British support in the event of a breach between Russia and Afghanistan; the protest made by His Majesty's Government against the conclusion of a Treaty between Italy and Afghanistan; the effect in Kabul of the news of this protest; the rejection of the 'Exclusive' Treaty, by S. Mahmud Tarzi and of the 'pis aller' Treaty by the Secretary of State; the latter's proposals for a 'gentlemanly' Treaty; and the suspension of negotiations on account of the loss of the Mission mail bag of July 30.

**156. The Amir intervenes.**—On April 9, the Amir gave an opportunity to Sir H. Dobbs to discuss the deadlock with him. The Amir and S. Mahmud Tarzi dwelt on the risk of rupture with Russia, which they would run by exclusion of the Consulates from Eastern Afghanistan. Sir H. Dobbs concluded:—

'My suggestion is that His Majesty's Government be now moved to press Russians very strongly regarding Consulates and to demand early reply. If they cannot do this, it is necessary for us to realise that Afghans are precluded from complying with our demands, except at the utmost risk of rupture with Russia, and, unless the support and compensation indicated are forthcoming, they will not run the risk'.<sup>5</sup>

**157. The Secretary of State proposes the Maximum of Exclusive Treaty.**—The Secretary of State replied:—

'I am of opinion, after having consulted Foreign Office, that to put pressure on Russians regarding Consulates in Eastern Afghanistan would not be wise....on the other hand it seems that Dobbs has at the moment established position which is advantageous for detaching Afghans from Bolsheviks by our making a comprehensive offer of assistance, and I shall be glad to have your further views'.<sup>6</sup>

For some time henceforward the correspondence is concerned mainly with the possibility of securing an 'Exclusive' Treaty, i.e., of eliminating Bolshevik influence altogether from Afghanistan, of compensating her adequately for the loss of the benefits accruing from the Russo-Afghan Treaty, and of supplying her with the means of repelling Russian aggression, which might be expected to result from her acceptance of an 'Exclusive' Treaty with the British Government.

<sup>1</sup>Tel. 76-C. (22-3-1921) from Br. Rep. Kabul to G. of I. (A. S. V. 108).

<sup>2</sup>Tel. 453 (28-3-1921) from Viceroy to S. of S. (*Ibid.* 117).

<sup>3</sup>Para. 718. (Appx. II).

<sup>4</sup>Tel. 81 (5-4-1921) from Br. Rep. Kabul to G. of I. (A. S. V. 136).

<sup>5</sup>Tel. 85-C. (10-4-1921) from Br. Rep. Kabul to G. of I. (*Ibid.* 151).

<sup>6</sup>Tel. 2028 (15-4-1921) from S. of S. to Viceroy. (*Ibid.* 160).

**158. The Turco-Afghan Treaty signed at Moscow.**—On April 16, Sir H. Dobbs received information of the conclusion of an agreement between Afghanistan and Angora, and next day took up the subject with the Amir. The latter denied that such an agreement had been made, and in the ensuing discussion of the proposed Anglo-Afghan 'Exclusive' Treaty adhered to his demand for a secret assurance against Russian aggression, and to his refusal to disclose the terms of his Treaty with Russia. He also required an amnesty for the frontier tribes who had helped him during the recent war.<sup>1</sup>

**159. Sir H. Dobbs considers the ' Exclusive ' Treaty possible.**—On April 21, Sir H. Dobbs stated his opinion that provided sufficient inducement were offered so as to outbid Russia it would be

' possible for us to win Afghanistan to our side completely. Her need of money now is so great, and the discontent of army is so serious, that it is possible that for immediate adequate sum and promise of arms in the event of Russian aggression, she would sacrifice to some extent her power of independent action, would forego her tribal pretensions, and break with the Turkish Nationals and Russia sufficiently for our purposes '<sup>2</sup>

**160. The Chief Commissioner, N. W. F. P. opposed to amnesty for tribes.**—The Chief Commissioner, N. W. F. Province was definitely opposed to acceptance of the Amir's request for an amnesty to the tribes<sup>3</sup> :—

' My feeling is that though we cannot deny existence of Amir's influence over our tribes in the past, the idea is not attractive that we should now advertise him as the source whence cometh their help, and in this way establish for the future his influence which is on the wane. Compromise on the lines suggested by you....embodies a very shortsighted policy '<sup>4</sup>

**161. The ' modified clean-cut.'**—On April 24, Sir H. Dobbs was less hopeful of the prospects of success offered by the ' Exclusive ' policy. Rosenberg was expected to arrive at Kabul by April 26 with the Russian Treaty for ratification by the Amir.

' It is impossible for us now to suggest even informal control of foreign affairs; but a mutual promise not to make without consultation agreement affecting mutual interests with a third Power....could be made acceptable to Afghanistan. Dismissal of Bolshevik Minister, Kabul, could scarcely now be demanded by us but we could ask that official or unofficial representatives be strictly limited, and we could possibly secure informally that Jemal's services be politely terminated '<sup>5</sup>

The state of affairs envisaged in this telegram was known as the ' modified clean-cut '.

**162. The Government of India prefer the ' Pis aller ' treaty.**—The Government of India summarised the existing situation as presenting three possible courses of action :—

(1) Pursuance of the ' Exclusive ' policy.

(2) Presentation of the ' pis aller ' as a final offer, coupled with a public assurance against aggression by a third Power and a demand for the disclosure of all Treaties made or contemplated by the Amir.

(3) Modification of the ' pis aller ' in unessentials, but insistence on the disclosure of the Russian Treaty and exclusion of the Eastern Consulates, and the grant of an assurance against Russian aggression in a supplementary letter.

They gave their opinion in favour of the last of these alternatives, and their remarks regarding the ' exclusive ' policy are important:—

' We should be prepared to go to considerable lengths in money and arms to secure a clean sweep of the Soviet Treaty and Soviet influence from Afghanistan were this possible. But we believe that it is not. Our offer, in whatever form it was couched, would be in effect a reversion towards our old control of Afghanistan's foreign relations and would be regarded as such..... But the Amir came to the throne as the champion of Afghanistan's independence, and has proclaimed it in all his public utterances, and we believe it would be impossible for him to accept this or any similar clause '<sup>6</sup>

<sup>1</sup>Tel. 94-C. (18-4-1921) from Br. Rep. Kabul to G. of I. (A. S. V. 172).

<sup>2</sup>Tel. 97-C. (21-4-1921) from Br. Rep. Kabul to G. of I. (*Ibid.* 182).

<sup>3</sup>Para. 154.

<sup>4</sup>Tel. 336 (24-4-1921)) from N.W. F. to G. of I. (A. S. V. 186).

<sup>5</sup>Tel. 103 (24-4-1921) from Br. Rep. Kabul to G. of I. (*Ibid.* 189).

<sup>6</sup>Tel. 594 (27-4-1921), from Viceroy to S. of S. (*Ibid.* 194).

163. The Secretary of State prefers the 'Exclusive,' but agrees to the 'Pis aller' in the last resort.—The Secretary of State in reply adhered to his preference for the 'Exclusive' policy, and pointed out that the third course of action favoured by the Government of India was 'open to the objections which as you know His Majesty's Government felt to an agreement which leaves Amir free to receive money and arms from Bolsheviks and military assistance from the Turks'. He stated however:—

'His Majesty's Government, in response to your request, have decided to press the Soviet Government for the abandonment of Eastern Consulates, though they do not feel sanguine'.<sup>1</sup>

The Government of India in reply pointed out that Sir H. Dobbs<sup>2</sup> did not consider it feasible to buy 'the Bolsheviks out altogether', as indicated by the Secretary of State, and that even if they were excluded on paper there would be little to restrain the Amir from receiving Russian money and arms under the guise of commercial transactions.

'I feel however that there is now no room in regard to Afghanistan for counsels of perfection.....I am however particularly desirous of impressing upon you and your colleagues that in my judgment it would be better to have a Treaty which does not please us than to have no treaty at all'.<sup>3</sup>

The Secretary of State, while emphasising the preference of His Majesty's Government for the 'Exclusive' Treaty, agreed, if this were found to be impracticable, in the last resort to sanction the 'pis aller'.

'That India should be paying the Amir a subsidy whilst at the same time he had formed a Treaty with the Bolsheviks under which he was receiving money from them is a solution which we find it difficult to justify, and to which our assent would only be accorded with the most extreme reluctance. It opens up unlimited possibilities for the Amir to play us off against Russians and Russians off against us..... If in the event of Dobbs' failure you tell us that you still remain convinced that it is better to conclude such a Treaty than to have no Treaty at all, in the last resort we should be willing to acquiesce'.<sup>4</sup>

On May 6 Sir H. Dobbs referred the question as to whether, now that Krassin had officially intimated 'what purport to be the terms of the Russo-Afghan Treaty', a demand should still be made for disclosure of all secret clauses of that Treaty.<sup>5</sup>

As regards the Afghan Treaty with Angora, he pointed out that most of the objections which he could put forward to the Amir would apply also to the action of the French and Italian Governments in making separate agreements with Angora.

164. The difficulty of enforcing the 'Exclusive' Treaty.—The practical difficulty of securing the observance by the Amir of the provisions of the 'Exclusive' Treaty, which had last been pointed out by the Government of India in their telegram of May 4,<sup>6</sup> had now impressed itself on the Secretary of State who on June 3 telegraphed:—

'You will no doubt consider the question of what security we shall have, in the event of our securing a Treaty which excludes Russia, that such exclusion is carried into effect, and maintained as a condition of the increase in our subsidy'.<sup>7</sup>

In a conference on June 3 the Afghan representatives made further demands, but declined to undertake that, even for the consideration offered by the 'Exclusive' Treaty, they would exclude the Russian Legation.

The Afghan position was that:—

'A demand by Afghanistan for withdrawal of existing Legation would be an act of provocation almost certainly leading to war, and inconsistent with the stipulation we are making that Afghanistan shall not provoke Russia. A formal promise that Russian Legation should be excluded would also be irreconcilable with independence of Afghanistan'.

Sir H. Dobbs went on to say:—

'I shall therefore probably tell the Afghans tomorrow that, if they manage to cancel Russian Treaty, and undertake not to receive any subsidy or munitions directly or in-

<sup>1</sup>Tel. 2235 (29-4-1921), from S. of S., to Viceroy. (A. S. V. 197).

<sup>2</sup>Para. 161.

<sup>3</sup>Tel. 632 (4-5-1921), from Viceroy, to S. of S. (A. S. V. 207).

<sup>4</sup>Tel. 2431 (12-5-1921), from S. of S., to Viceroy. (*Ibid* 235).

<sup>5</sup>Memo. 115-C. (6-5-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 243).

<sup>6</sup>Tel. 632 (4-5-1921), from Viceroy, to S. of S. (*Ibid* 207).

<sup>7</sup>Tel. 2790 (3-6-1921), from S. of S., to Viceroy. (*Ibid* 305).

directly from Russia, we will give 30 lakhs of rupees with assurance already mentioned, but if necessary I shall go up to 40 lakhs, and I shall not insist on exclusion of Russian Minister, or abstention from agreement with Russia, provided that such agreement is purely commercial, and that any Consulates which it includes are outside prohibited zone'.<sup>1</sup>

This telegram showed the nature of the benefits to be anticipated from the 'Exclusive' Treaty to be very unsubstantial. The Afghan Government could, it seemed, only be asked to give undertakings against acceptance of Russian money and arms, while foci for Bolshevik intrigue in Afghanistan would remain with the unavoidable retention of the Russian Legation and Consulates outside the prohibited zone. An 'exclusive' Treaty with these reservations would not be exclusive at all.

At the next meeting however S. Mahmud Tarzi and the other Afghan representatives professed to be prepared to consider a 'clean cut' with Russia involving the exclusion of the Russian Legation.<sup>2</sup>

On June 11 Sir H. Dobbs reported that the Afghan Government had decided on a complete break with Russia.<sup>3</sup> At this point the Secretary of State reminded<sup>4</sup> the Government of India of the necessity of obviating the danger mentioned by them in a telegram of May 23, 'of Bolsheviks after being expelled as such from Afghanistan being enabled, by the Turco-Afghan Treaty, to return in a Turkish guise'.<sup>5</sup> In a later telegram the Secretary of State insisted for a similar reason on the exclusion of Bokharan Consulates from the 'prohibited zone'.<sup>6</sup>

**165. The 'tribal face saver'.**—The conclusion of an Exclusive Treaty now appeared to be approaching, but final instructions had not yet been given as to the concession to be made to the Amir in order to enable him to save his face with the Frontier tribes.<sup>7</sup>

It was decided that this concession should take the form of a declaration of a liberal policy in regard to the Mahsuds and Wana Wazirs, and that Sir H. Dobbs should be authorised 'if absolutely pressed to it, and in the very last resort, to offer remission of tribal rifles and fines collected as well as outstanding'.<sup>8</sup>

After a meeting on June 17, at which details as to the conclusion of the exclusive Treaty, and the manipulation of the proposed rupture with Russia were discussed, Sir H. Dobbs reported: 'I now take a fairly optimistic view of our prospects'.<sup>9</sup>

**166. Clause 15.**—An addition to clause 15 had been made providing for reciprocal consultation between the parties before either concluded any agreement with Russia or any Asiatic nation. This addition the Government of India found 'prima facie quite unacceptable'.<sup>10</sup>

**167. Representations by His Majesty's Government regarding Italo-Afghan agreement.**—On June 20 the Government of India were informed of the 'strong representations'<sup>11</sup> made both in London and Rome on the conclusion of an Italian agreement with Afghanistan.

At a meeting on June 21 the Afghan Representatives again raised their demands, which now included one for the evacuation of Mahsud country.<sup>12</sup> On this the Government of India remarked 'There seems no prospect of an end to Afghan importunities if they once become convinced that we want exclusive treaty at all costs'.<sup>13</sup>

Commenting on the representation made at Rome in connection with the Italo-Afghan agreement, they pointed out the danger of excluding other diplomatic representatives than Russian from Kabul.

'If we attempted to keep Afghanistan as a close preserve for ourselves we much doubt whether it would be possible to maintain friendly relations for long'.<sup>14</sup>

<sup>1</sup>Tel. 151 (3-6-1921), from Br. Rep., Kabul, to G. of I. (A. S. V. 306.)

<sup>2</sup>Tel. 152 (4-6-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 309.)

<sup>3</sup>Tel. 162 (11-6-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 345.)

<sup>4</sup>Tel. 2910 (11-6-1921), from S. of S., to Viceroy. (*Ibid* 346.)

<sup>5</sup>Tel. 729 (23-5-1921), from Viceroy, to S. of S. (*Ibid* 274.)

<sup>6</sup>Tel. 4177 (16-8-1921), from S. of S., to Viceroy. (A. S. VI. 164.)

<sup>7</sup>Tel. 166 (16-8-1921), from Br. Rep., Kabul, to G. of I. (A. S. V. 360.)

<sup>8</sup>Tel. 873 (15-6-1921), from G. of I., to Br. Rep., Kabul. (*Ibid* 366.)

<sup>9</sup>Tel. 167 (17-6-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 375.)

<sup>10</sup>Tel. 896 (19-6-1921), from G. of I., to Br. Rep., Kabul. (*Ibid* 379.)

<sup>11</sup>Tel. 3043 (19-6-1921), from S. of S., to Viceroy. (*Ibid* 396.)

<sup>12</sup>Tel. 181 (21-6-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 414.)

<sup>13</sup>Tel. 946 (25-6-1921), from G. of I., to Br. Rep., Kabul. (*Ibid* 425.)

<sup>14</sup>Tel. 950 (25-6-1921), from Viceroy to S. of S. (*Ibid* 429.)

The Secretary of State was 'strongly inclined to think that German as well as Russian representatives should be debarred' from Kabul.

**168. Closing of passes to India in event of rupture.**—Sir H. Dobbs at this time considering that the negotiations at Kabul might end with an 'ultimatum requiring the evacuation of Arnowai within a fixed period, and threatening, in default, to close all the avenues of trade between India and Afghanistan, and to prevent the cold weather immigration to India of Powindahs and others'<sup>2</sup>, discussed the measures necessary for putting this threat into effect.

He pointed out the possibility that the Afghans would purposely protract the negotiations until the Powindah immigration into India was over, when they might ratify the Russo-Afghan Treaty, and keep the fact secret until they had received a consignment of Bolshevik money and arms.<sup>3</sup>

The Government of India agreed that delay was dangerous, and that a definite time limit should be given to the Afghans for acceptance or rejection of the exclusive Treaty. If they decided on rejection, the 'pis aller' should be put forward by Sir H. Dobbs with a similar time limit.<sup>4</sup>

**169. Clause 15. Prospects of the exclusive Treaty fading.**—At a meeting on July 14 S. Mahmud Tarzi intimated that a definite decision had been reached, by the Afghan Council, that no undertaking could be given, as provided by Clause 15 of the draft Treaty, for exchange of views regarding future agreements.<sup>5</sup>

The prospects of acceptance by the Afghans of the 'exclusive' Treaty were now deteriorating, and the Government of India, who had carried out their instructions to do their utmost to secure an 'exclusive' Treaty, were now preparing to fall back on the 'pis aller' Treaty which they had advocated from the first.

The Secretary of State however, although expressing his doubts as to whether the Afghans were in earnest, and therefore whether the 'exclusive' Treaty was still possible at all, reiterated the extreme dislike of His Majesty's Government of the 'pis aller' proposals.<sup>6</sup>

**170. News of British representations regarding Italo-Afghan Treaty reaches the Afghan Government.**—On July 25 Sir H. Dobbs reported a change for the worse in the Afghan attitude, of which he discovered an explanation the next day in the receipt in Kabul of the news of the British protests against the Italo-Afghan Treaty:—

'This would amply account for the Afghans extraordinary volte face and their sudden bitter anti-British attitude. We may be sure that French and Italians have made most of the statement that the intention of our contemplated treaty was to reaffirm our predominant political interest in Afghanistan, and that though ostensibly Afghanistan now enjoys independence, she is still regarded by us as within the sphere of our political influence.'<sup>7</sup>

The Government of India, concluding that there was now little prospect of the 'exclusive' Treaty being accepted, renewed their old arguments for a reversion to the 'pis aller'.<sup>8</sup>

**171. Exit the 'pis aller', enter the 'gentlemanly' Treaty.**—The Secretary of State in reply definitely withdrew any authority given to Sir H. Dobbs to negotiate the 'pis aller' Treaty, and proposed another alternative, *viz.*, 'a treaty as between two civilized Powers, by which provision would be made for reciprocal right to send Envoys and Consuls and for other ordinary neighbourly relations, but which would not commit us to the payment of any subsidy'.<sup>9</sup> The treaty thus described came to be known in the correspondence as the 'gentlemanly' Treaty.

**172. The third Afghan draft. Exit the 'exclusive' Treaty.**—On August 6 S. Mahmud Tarzi put forward an 'absolutely final' draft Treaty, accompanied by a note 'setting forth the disadvantages and dangers which complete rupture with Russia would entail on Afghanistan'.

<sup>1</sup>Tel. 3307 (4-7-1921), from S. of S. to Viceroy. (A. S. V. 473.)

<sup>2</sup>Memo. 441 (1-7-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 495.)

<sup>3</sup>Tel. 202 (9-7-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 502.)

<sup>4</sup>Tel. 1071 (12-7-1921), from Viceroy to S. of S. (*Ibid* 525.)

<sup>5</sup>Tel. 209 (18-7-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 551) and see para. 160.

<sup>6</sup>Tel. 3793 (27-7-1921), from S. of S. to Viceroy. (A. S. V. 8.)

<sup>7</sup>Tel. 224 (26-7-1921), from Br. Rep., Kabul, to G. of I. (A. S. VI. 40) and see para. 167.

<sup>8</sup>Tel. 1843 (30-7-1921), from Viceroy to S. of S. (A. S. VI. 48.)

<sup>9</sup>Tel. 3961 (5-8-1921), from S. of S. to Viceroy. (*Ibid* 80.)

The new Treaty definitely abandoned the 'exclusive' proposals, did not provide for the exclusion of the Eastern Consulates, and demanded an amnesty, not only for the Mahsuds and Wazirs, but for all the frontier tribes 'from Chitral to South Baluchistan'.

Sir H. Dobbs in commenting on this move remarked that 'to argue further would be useless and humiliating', and that he therefore proposed, on learning the terms finally approved by the Secretary of State, to present them for acceptance *en bloc* by the Afghan Government within ten days, and failing acceptance of these to leave Kabul.<sup>1</sup>

**173. The loss of the Mission mail bag. Suspension of negotiations.**—On the same day Sir H. Dobbs reported the loss of the Mission post bag *en route* to India, and two days later, having reason to believe that its disappearance was due to design on the part of the Afghan Government, suspended negotiations.<sup>2</sup>

With the refusal of the Secretary of State to sanction an agreement on 'pis aller' lines, and the rejection of the 'exclusive' Treaty by the Afghan Foreign Minister, the second phase of the negotiations, seriously complicated by the grave breach of diplomatic privileges in regard to the Mission mail bag, closed.

**174. The third phase of the negotiations (August 8—November 22, 1921).**—The third phase began with the suspension of negotiations on August 8, and comprised the Government of India's return to the charge as regards the 'pis aller' Treaty; the ratification in Kabul of the Russo-Afghan Treaty; the decision of the Secretary of State in favour of the 'gentlemanly', as against the 'pis aller' Treaty; the return of the Mission mail bag; the excitement caused in Kabul by the treatment of the Afghan Mission in London; the communication to the Soviet Government of Lord Curzon's note of September 7; the presentation by Sir H. Dobbs of the 'gentlemanly' Treaty; an intervention by the Amir suggesting repudiation of the Russo-Afghan Treaty; the proposal by Sir H. Dobbs for an exchange of Ministers without a Treaty; and the acceptance and signature of the 'gentlemanly' Treaty by the Amir.

**175. The period of suspension.**—Enquiries made into the circumstances of the loss of the Mission mail bag gave clear indications of bad faith on the part of the Afghan Government. The interval between the rupture of negotiations as a result of this incident and the return of the bag on August 21 was occupied by discussions between His Majesty's Government and the Government of India as to the lines on which negotiations should continue. The Government of India in reply to an enquiry from the Secretary of State, pressed for 'pis aller' negotiations based on a modification of the last Afghan draft.<sup>3</sup>

Sir H. Dobbs proposed to place the 'exclusive' and the 'gentlemanly' draft Treaties simultaneously before the Afghans and allow them to choose. He considered that they would 'prefer ordinary treaty to rupture, since it is certain that they are not ready for war, and would do much to avoid having Russian Minister in a position of predominance at Kabul'.<sup>4</sup>

**176. Ratification of the Russo-Afghan Treaty.**—On August 14, Sir H. Dobbs reported an announcement in a Kabul newspaper indicating that the Russo-Afghan Treaty had been ratified. (It was actually ratified by the Amir on that date).

'If so we are precluded from getting either exclusive or pis aller Treaty, and the only form of treaty still possible would be ordinary Treaty'.<sup>5</sup>

**177. The Government of India adhere to the 'Pis aller'.**—The Government of India still adhered to their opinion that the Amir should be offered the 'pis aller', and on this Secretary of State remarked:—

'I understand you to wish me now to ask for approval of Cabinet to "pis aller" treaty. My difficulty in doing so would be less if treaty now proposed did not differ so widely, and for the worse, from that in which His Majesty's Government were on May 11 ready, however reluctantly, to acquiesce'.

He went on to point out that the incident of the mail bag would shake any confidence which the Cabinet ever had in Afghan good faith, that the demand for disclosure of the terms of the Russo-Afghan Treaty could not be abandoned,

<sup>1</sup>Tel. 235 (6-8-1921), from Br. Rep., Kabul, to G. of I. (A. S. VI 100.)

<sup>2</sup>Tel. 239 (8-8-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 110.)

<sup>3</sup>Tel. 1949 (13-8-1921), from Viceroy to S. of S. (*Ibid* 129.)

<sup>4</sup>Tel. 247 (13-8-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 139.)

<sup>5</sup>Tel. 250 (14-8-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 148.)

and that the 'pis aller' draft in its latest form afforded no adequate safeguard in regard to the Eastern Consulates. The 'greatest difficulty of all' however was presented in regard to the frontier tribes, by the disappearance of the Afghan undertaking to abstain from interference.

' His Majesty's Government would with the material now before them unhesitatingly prefer their own alternative treaty without subsidy..... it seems to me that predominance must always be assured for India by geographical and economic conditions'.<sup>1</sup>

The Government of India however maintained their preference for a 'pis aller' Treaty, amended as His Majesty's Government might see fit, provided that three essentials were preserved :—

' First that it should not contain anything derogating to the independence of Afghanistan ; second that it should contain no reference to religion ; third that it should contain a material inducement in the form of an annual subsidy for the observance of neighbourly conduct '.<sup>2</sup>

It may be noted that this is apparently the only suggestion that a subsidy should be paid under any other form of Treaty than one of 'friendship', but it seems probable that 'neighbourly conduct' was not here used in the technical sense which it was so soon to acquire.

**178. Recovery of the mail bag.**—On August 20 the missing mail bag was brought to the Mission residence, by two members of the Afghan Foreign Office staff. S. Mahmud Tarzi also sent an apologetic letter, and the incident was closed.<sup>3</sup>

**179. The Russo-Afghan Treaty ratified ; the demand for disclosure.**—On August 23 S. Mahmud Tarzi informed Sir H. Dobbs, in answer to his enquiry, that the Russo-Afghan Treaty had been ratified. In reply Sir H. Dobbs pressed for a disclosure of its complete contents.<sup>4</sup>

On August 28 Sir H. Dobbs received a letter from S. Mahmud Tarzi definitely declining to furnish an official copy of the Russo-Afghan Treaty, which S. Mahmud Tarzi said would shortly be published in the local newspapers.<sup>5</sup> On September 1, however he intimated that a copy of the Russo-Afghan Treaty was being furnished officially.<sup>6</sup>

As Sir H. Dobbs received the official copies of the Russo-Afghan Treaty and the letter appended to it on September 3, the Government of India considered that no further insistence on disclosure of secret clauses need be made, and that the way was now clear for negotiation of the 'pis aller' Treaty, provided a note was given by Sir H. Dobbs to the effect that the establishment of Consulates in the prohibited zone by a third power would constitute a breach of the Treaty.<sup>7</sup>

**180. The protest regarding the reception of the Afghan Mission in London.**—Meanwhile, on August 28, S. Mahmud Tarzi had written to Sir H. Dobbs in terms of studied rudeness, complaining of the reception accorded to the Afghan Mission in London. He cancelled this letter soon afterwards, but there is no doubt that the Amir was very deeply offended.<sup>8</sup>

**181. Lord Curzon's note to the Soviet Government (September 7, 1921).**—On September 7, 1921, a note was presented by Lord Curzon to the Soviet Government,

' Calling attention to breaches of undertaking entered into under preamble of trade agreement....with expression of His Majesty's Government's profound disappointment that last five months have not shown any abatement of hostile activities complained of in Horne's letter, and which Chicherin in his reply of April 20th promised should cease '.

The Russian Treaty with Afghanistan was referred to as 'the most serious charge of all which His Majesty's Government have to make against the Soviet Government'.<sup>9</sup>

<sup>1</sup>Tel. 4177, (16-8-1921), from S. of S., to Viceroy. (A. S. VI 164.)

<sup>2</sup>Tel. 14, (20-8-1921), from Viceroy, to S. of S. (*Ibid* 177.)

<sup>3</sup>Tel. 259, (21-8-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 181.)

<sup>4</sup>Tel. 262, (23-8-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 187.)

<sup>5</sup>Tel. 269, (29-8-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 231.)

<sup>6</sup>Tel. 271, (1-9-1921), from Br. Rep., Kabul, to G. of I. (*Ibid* 246.)

<sup>7</sup>Tel. 2135, (6-9-1921), from Viceroy to S. of S. (*Ibid* 269.)

<sup>8</sup>Para. 711. (Appx. II.).

<sup>9</sup>Tels. 4649 and 4651, (8-9-1921), from S. of S., to Viceroy. (A. S. VI. 233.)

182. Disclosure of secret clauses as condition precedent to the 'pis aller' treaty.—In reply to the Government of India's telegram 2135 of September 6<sup>1</sup> the Secretary of State replied that His Majesty's Government regarded the full disclosure of secret clauses as a condition precedent to conclusion of a Treaty on 'pis aller' lines.<sup>2</sup>

On September 13, S. Mahmud Tarzi, without replying to the request for full disclosure made by Sir H. Dobbs, wrote that the Afghan Government could negotiate only with His Majesty's Government and not with the Government of India, and that it had been assumed that the British Mission derived its authority not from India but from the London Foreign Office.<sup>3</sup> This was an obvious counterblast to the attitude adopted towards the Afghan Mission in London by Lord Curzon.<sup>4</sup>

### 183. But not to the 'gentlemanly' Treaty, which is put forward.

In reply Sir H. Dobbs repeated his demand for full disclosure, failing which he would leave Kabul on September 19. At the same time he suggested to the Government of India that disclosure had never been insisted on as a condition for the conclusion of the 'gentlemanly' Treaty.<sup>5</sup>

The Government of India agreed that the 'gentlemanly' Treaty might now be offered.<sup>6</sup>

On September 18, S. Mahmud Tarzi intimated that he could only give a private verbal assurance in regard to the supplementary undertakings with Russia, and, as this was tantamount to a refusal of official disclosure, Sir H. Dobbs sent Mr. Pipon to ascertain privately whether he would be prepared to consider the 'gentlemanly' Treaty. S. Mahmud Tarzi agreed, and this Treaty was accordingly propounded by Sir H. Dobbs at an official meeting held on September 19.<sup>7</sup>

At this meeting S. Mahmud Tarzi

'dropped a hint from which I suspect he has in his head some plan of perhaps offering to prohibit Russian Consulates on our frontier, in return for concessions for which draft gentlemanly Treaty does not at present provide'.<sup>8</sup>

Out of this suggestion developed the bargain contained in letter No. 111, from Sardar Mahmud Tarzi, attached to the existing Anglo-Afghan Treaty as No. III.

184. The Amir intervenes proposing to repudiate the Russo-Afghan Treaty.—On September 25, the Amir again intervened, and invited Sir H. Dobbs to see him privately. He insisted on discussing the 'exclusive treaty' stating that, if the draft were modified in certain directions which he indicated, he would sign it, and cancel the Russo-Afghan Treaty which he had just ratified.

Sir H. Dobbs commenting on this sudden *volte face* remarked:—

'My own feeling is that it is impossible for Great Britain to involve herself in a transaction of such a discreditable nature. If, within six weeks after ratification, and after receiving subsidy, Amir tears in pieces Treaty with Russia he could equally well tear up ours. We should never be safe with him.'<sup>9</sup>

On September 28 the Amir in another interview elaborated his proposals, and refused to consider any alternative to them:—

'I should add that Amir spontaneously said he could not now accept 'pis aller' even in latest Afghan version.'<sup>10</sup>

The Government of India agreed that 'we cannot involve ourselves in so discreditable and dangerous a business as that proposed by the Amir'. They went on to propose the presentation of a 'pis aller' draft, amended in detail, as Sir H. Dobbs might consider necessary, with a time limit for its acceptance, and subject to full disclosure of the Russo-Afghan Treaty. 'The Amir will not look at the gentlemanly treaty at any price and . . . it is a choice between the Amir's proposals and rupture'.<sup>11</sup> This telegram was sent before the Government of

<sup>1</sup>Para. 179.

<sup>2</sup>Tel. 4653 (9-9-1921) from S. of S. to Viceroy (A. S. VI 294).

<sup>3</sup>Tel. 293 (13-9-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 305).

<sup>4</sup>Para. 711. (Appx. II).

<sup>5</sup>Tel. 294 (14-9-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI 306).

<sup>6</sup>Tel. 2194 (15-9-1921) from G. of I. to Br. Rep., Kabul. (*Ibid* 310).

<sup>7</sup>Tels. 299 (18-9-1921) and 300 (19-9-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 318 and 323).

<sup>8</sup>Tel. 301 (20-9-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 325).

<sup>9</sup>Tel. 306 (25-9-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 354).

<sup>10</sup>Tel. 307 (26-9-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 358).

<sup>11</sup>Tel. 2290 (30-9-1921) from Viceroy to S. of S. (*Ibid* 360).

India had learnt that the Amir had also declined to consider a 'pis aller' Treaty, even in the extreme form of the Afghan draft.

**185. Sir H. Dobbs proposes exchange of Ministers without Treaty.**—Sir H. Dobbs considered that 'the safest and most dignified course' was to insist on the 'neighbourly treaty as it stands or nothing'.<sup>1</sup>

He considered that the proposal made by the Government of India offered little hope of success, and suggested an exchange of Ministers, with a postponement of a Treaty of friendship until circumstances were more favourable to its negotiation.<sup>2</sup>

On October 7, the Secretary of State indicated his readiness to accept a 'pis aller' Treaty subject to full disclosure of the Russo-Afghan Treaty, but stated his preference for a neighbourly treaty, or, failing that, for an exchange of Ministers on the lines suggested by Sir H. Dobbs.<sup>3</sup>

**186. The Secretary of State decides in favour of the 'gentlemanly' Treaty.**—After further lengthy correspondence between Simla and Whitehall, punctuated by requests for orders from Sir H. Dobbs, the Secretary of State gave his decision on October 28:—

'Dobbs should accordingly reply to Amir that exclusive treaty has been made impossible by Amir's own action in ratifying treaty with Bolsheviks, even if his proposals were acceptable in themselves; and that, since he has not only rejected condition upon which His Majesty's Government were themselves prepared to offer him a treaty of friendship, but has now committed himself formally to an alliance with Bolsheviks, it has become necessary to adjourn negotiations until he is in a different frame of mind. By this no change in desire of His Majesty's Government to live on good terms with Islamic neighbour of India is indicated, and in order to show our good faith we are willing to give those terms the sanction of a treaty. In fact the draft of such a treaty has been put before Amir who has hitherto rejected it..... Though not ideal, it gives full recognition to Afghan independence, and embodies neighbourly relations which exist between great nations of the world. It would be well for Amir in his own interests to think twice before he finally rejects it.'<sup>4</sup>

On November 6 the Amir sent for Sir H. Dobbs, complained that the long delay in the consideration of his proposals had greatly increased his difficulties, and dilated on the tribal question, making it clear that, if a friendship treaty were now put forward, he would revive 'all his most extreme demands regarding the tribes'.<sup>5</sup>

On the previous day the announcement of the terms of settlement had been made to the Mahsuds, with no reference to an amnesty.<sup>6</sup>

On November 8 the Amir, in the course of an interview, stated that 'without large tribal concessions an understanding was impossible', and reverted to his 'exclusive' Treaty, declaring his readiness now to expel the Russian Minister. The result was an impasse, and November 13 was fixed for the departure of the Mission after a final official meeting.<sup>7</sup>

On November 11 news reached Kabul that the motor transport for the return of the Mission to India had crossed the frontier. The same evening the Amir granted Sir H. Dobbs a farewell audience, and took the opportunity of discussing the 'gentlemanly treaty'.<sup>8</sup>

**187. The Amir accepts and signs the 'gentlemanly' Treaty.**—On November 15 the Amir accepted this treaty, maintaining to the last the 'extraordinary fiction' that his Foreign Minister knew nothing of the discussions preliminary to this decision.<sup>9</sup>

On November 22 an official meeting was held, and the Treaty signed.

**188. Two incidents:—(1) Arnawai.**—Two unpleasant incidents then occurred. Directly after the signature of the treaty, Sir H. Dobbs mentioned that, as had been clearly understood at a meeting between the Amir and himself on November 13, the realignment of the boundary at Torkham, as specified in the

<sup>1</sup>Tel. 308 (28-9-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI. 362).

<sup>2</sup>Tel. 313 (1-10-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 375).

<sup>3</sup>Tel. 5139 (7-10-1921) from S. of S. to Viceroy. (*Ibid* 386).

<sup>4</sup>Tel. 5524 (28-10-1921) from S. of S. to Viceroy. (*Ibid* 432).

<sup>5</sup>Tel. 357 (6-11-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 455).

<sup>6</sup>Tel. 2515 (7-11-1921) from G. of I., to Br. Rep., Kabul. (*Ibid* 456).

<sup>7</sup>Tel. 361 (9-11-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 467).

<sup>8</sup>Tel. 366 (12-11-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 488).

<sup>9</sup>Tel. 372 (15-11-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 507).

new Treaty, was dependent on the prior evacuation of Arnawai by the Afghans. As S. Mahmud Tarzi said that he knew nothing of this, the point was referred to the Amir, who denied all knowledge of any such understanding. The Amir explained privately to Sir H. Dobbs that he had incurred considerable resentment by his unorthodox methods of negotiation, and that he could not acknowledge to his Ministers that he had failed to obtain Arnawai.<sup>1</sup>

On November 29, however, as a result of representations made by Sir H. Dobbs, he gave orders for the withdrawal of all Afghan troops from Arnawai, and for its restoration to Chitral.<sup>2</sup>

The official confirmation of these orders was received by Sir H. Dobbs on December 2.<sup>3</sup>

(2) **The Barshor raid.**—A matter of even graver importance was an irruption into Baluchistan by raiders from Afghan territory on November 25. These were refugees from Waziristan, who had been settled by the Afghan Government at Shahjui, 120 miles north-east of Kandahar. The raiders numbered some two hundred and fifty, and overwhelmed a company of the 92nd Punjabis who met them near Barshor. On the British side the casualties sustained were two British Officers and forty other ranks killed, while the remainder of the detachment were either wounded or captured. The Wazirs then burned Barshor fort and villages, and retired. Afghan subjects in Baluchistan were, with the approval of the Government of India, arrested by the Agent to the Governor General.<sup>4</sup> Representations in the matter were made by Sir H. Dobbs to the Amir and S. Mahmud Tarzi, both of whom expressed the profoundest regret for the occurrence. The Afghans arrested were thereupon released.<sup>5</sup>

189. **Complimentary messages.** The Amir styled 'His Majesty'.—The signature of the treaty was followed, as soon as the Arnawai incident had been settled, by an exchange of complimentary messages. These included one from the King Emperor to the Amir, and in them the latter was for the first time accorded the style of 'His Majesty'.<sup>6</sup>

190. **Realignment at Torkham.**—On December 4, Sir H. Dobbs, on his way to Peshawar, carried out a realignment<sup>7</sup> on the Khyber sector of the frontier which left Torkham in Afghan territory, as conceded by article II of the Treaty.<sup>8</sup>

191. **The attempt to define 'neighbourly conduct'.**—On December 1, Sir H. Dobbs addressed an important letter to S. Mahmud Tarzi setting forth 'the line of conduct which, in the view of the British Government, is to be expected from a neighbouring and friendly power with which it has entered into treaty relations'.<sup>9</sup>

This conduct was described as follows :—

'Each Government should prevent to the best of its ability all action within its boundaries which may tend to stir up strife or produce enmity against the other Government within the boundaries of the latter, whether such action is by its own subjects, or by refugees from the territory of the other Government, or by subjects of any third Power, who may be in its territories, either in an official capacity or in a private capacity. Each Government should in particular restrain the Consuls or Agents of any third Power residing within its territory, and its own subordinate officials and others, from inciting the frontier tribes within the boundaries of the other Government against that Government; should prevent, to the best of its ability the passage, through its own territory to the frontier of the other Government, of arms and ammunition other than such as the other Government is willing to admit, and of persons whose known intention is to raise an agitation against the other Government; it should prohibit preparations within its own territory for making raids into the territory of the other Government, should punish persons found guilty of committing such raids and should itself abstain from all interference with tribes or persons within the frontier of the other Government, and from all kinds of propaganda against the other Government. If our two Governments each sincerely adopt such a line of neighbourly conduct towards the other, there is ground for high hope that their relations will continually increase in friendliness, and that the treaty now concluded between us will bear good fruit.'<sup>10</sup>

<sup>1</sup>Tel. 399 (23-11-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI 588).

<sup>2</sup>Tel. 410 (29-11-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 626).

<sup>3</sup>Tel. 188 (5-12-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 674).

<sup>4</sup>Tel. 125-L (26-11-1921) from A. G. G., Baln., to G. of I. (*Ibid* 609).

<sup>5</sup>Tel. 127-N. (30-11-1921) from A. G. G., Baln., to G. of I. (*Ibid* 644).

<sup>6</sup>Tel. 599S (23-11-1921) from S. of S. to Viceroy (*Ibid* 586) and 621 (30-11-1921) from Viceroy to Amir. (*Ibid* 632).

<sup>7</sup>Tel. (4-12-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 673).

<sup>8</sup>Para. 193.

<sup>9</sup>Tel. 2777 (8-12-1921) from Viceroy to S. of S. (A. S. VI 683).

It will be noticed that the terms of this letter follow closely those of Clause XIV of the old 'pis aller' Treaty<sup>1</sup> which was, technically, one of 'Friendship,' and included provision for the grant of a subsidy.

**192. The distinction between 'neighbourly conduct' and 'friendship'.**—The Afghan Government consequently saw in this letter an attempt by Sir H. Dobbs to get nothing, under the guise of neighbourly conduct, what had previously been treated as a valuable consideration to be paid for under a Treaty of friendship. This suspicion can be clearly read between the lines of S. Mahmud Tarzi's reply which was not sent until January 27, 1922.

'Neighbourly conduct, or in other words this letter No. 143-P.O., cannot be held to be included in the Treaty, and neighbourly conduct depends upon the degree of civilisation and intentions of both parties towards each other. The Government of Afghanistan has no intention of doing anything to instigate unrest in territory of her neighbour the Indian Government, and does not do so. \* \* \* The punishment of the guilty concerns the internal laws of Afghanistan; severance of religious intercourse and national ties is impossible. The Exalted Government of Afghanistan will try their best to ensure that the frontier tribes being tranquil shall not take antagonistic steps against the subjects of their friend. I have written the above mentioned details to you and hope that the good intentions of the Government of Great Britain and their good dealings towards the Afghan nation will increase daily, and be strengthened, and will lead the present neighbourly relations to sincere friendship.'<sup>2</sup>

Unfortunately this suspicion was strengthened by the wording of the complimentary messages addressed to the Amir and S. Mahmud Tarzi on the conclusion of the negotiations. Thus:—

'I sincerely congratulate Your Majesty, as I sincerely congratulate myself, on the issue of the long deliberations between the two Governments in a Treaty of Friendship'<sup>3</sup> is the opening of the Viceroy's message to the Amir, while that from the King Emperor ran:—

'To His Majesty Amir Amanulla Khan of Afghanistan. On the occasion of the conclusion of the Treaty of Friendship, etc.'<sup>4</sup>

Sir H. Dobbs had warned the Government of India of a possible objection to such phraseology:—

"The expression 'Treaty of Friendship' will not in present circumstances be suitable, as distinction between friendship and neighbourly treaty has played great part in our diplomatic arguments though it is perhaps artificial in Afghan eyes. 'Neighbourly treaty' on the other hand sounds clumsy and cold. I would substitute therefore 'new Treaty' for 'Treaty of Friendship'.<sup>5</sup>

The Government of India, however, preferred to adhere to the phrase 'Treaty of Friendship'.<sup>6</sup>

The result was seen in a curious but characteristic incident, which occurred at the official farewell to Sir H. Dobbs on December 1:—

'The Amir.....suddenly stood up and made a speech to following effect, speaking from notes. He had noticed that, although his treaty purported to be one of neighbourly relations with the British Government His Majesty the King Emperor had in his telegram referred to the treaty as one of friendship. He felt obliged to state that, although he was very glad to think that this might be so, he could only contemplate relations of close friendship with the British Government if, by making equitable settlement with Turkey, treating inhabitants of India with kindness and generosity, and civilising tribes under their control, they pleased the hearts of Moslems.'

The speech was a neat move for it was not only a 'propagandist effort designed to forestall possible reproaches of Moslems, tribesmen, and Indian revolutionaries against the Afghans for signing the treaty, and thus betraying their interests'<sup>7</sup>, but was also intended as a hint to the British Government that he retained his interest in these communities and would only abandon it, if at all, under a Treaty of 'Friendship.'

The British Legation on its arrival in Kabul soon found that the Afghan Foreign Office was very much on the alert to detect any tendency in practice to

<sup>1</sup>Para. 142.

<sup>2</sup>Letter from S. Mahmud Tarzi to Sir H. Dobbs 122 (27-1-1922). (A. S. VII 137).

<sup>3</sup>Tel. 593 (23-10-1921) from the Viceroy to the Amir. (A. S. VI 572).

<sup>4</sup>Tel. 621 (30-11-1921) from the Viceroy to the Amir. (*Ibid* 632).

<sup>5</sup>Tel. 390 (22-11-1921) from Br. Rep., Kabul, to G. of I. (*Ibid* 564).

<sup>6</sup>Tel. 2646 (23-11-1921) from Viceroy to S. of S. (*Ibid* 581).

<sup>7</sup>Tel. 2778 (8-12-1921) from Viceroy to S. of S. (*Ibid* 684).

<sup>8</sup>*Ibid*.

slur over the distinction, as drawn in the Treaty negotiations, between 'neighbourly relations' and 'friendship'.

193. **Text of the Treaty.**—The translation of the Treaty, with the letters attached to it, is as follows:—

[*Translation.*]

TREATY.

PREAMBLE.

The British Government and the Government of Afghanistan, with a view to the establishment of neighbourly relations between them, have agreed to the Articles written hereunder, whereto the undersigned, duly authorised to that effect, have set their seals:—

ARTICLE I.

The British Government and the Government of Afghanistan mutually certify and respect, each with regard to the other, all rights of internal and external independence.

ARTICLE II.

The two High Contracting Parties mutually accept the Indo-Afghan Frontier, as accepted by the Afghan Government under Article V of the treaty concluded at Rawalpindi on the 8th August 1919, corresponding to the 11th Ziqada, 1337 Hijra, and also the boundary west of the Khyber laid down by the British Commission in the months of August and September 1919, pursuant to the said Article, and shown on the map attached to this treaty by a black chain line; subject only to the realignment set forth in Schedule I annexed, which has been agreed upon in order to include within the boundaries of Afghanistan the place known as Tor Kham, and the whole bed of the Kabul river between Shilmān Khwala Banda and Palosai, and which is shown on the said map by a red chain line. The British Government agrees that the Afghan authorities shall be permitted to draw water in reasonable quantities through a pipe, which shall be provided by the British Government, from Landi Khana for the use of Afghan subjects at Tor Kham, and the Government of Afghanistan agrees that British officers and tribesmen living on the British side of the boundary shall be permitted, without let or hindrance, to use the aforesaid portion of the Kabul river for purposes of navigation, and that all existing rights of irrigation from the aforesaid portion of the river shall be continued to British subjects.

ARTICLE III.

The British Government agrees that a Minister from His Majesty the Amir of Afghanistan shall be received at the Royal Court of London, like the Envoys of all other Powers, and to permit the establishment of an Afghan Legation in London, and the Government of Afghanistan likewise agrees to receive in Kabul a Minister from His Britannic Majesty the Emperor of India, and to permit the establishment of a British Legation at Kabul.

Each party shall have the right of appointing a Military Attaché to its Legation.

ARTICLE IV.

The Government of Afghanistan agrees to the establishment of British Consulates at Kandahar and Jalalabad, and the British Government agrees to the establishment of an Afghan Consul-General at the headquarters of the Government of India, and three Afghan Consulates at Calcutta, Karachi and Bombay. In the event of the Afghan Government desiring at any time to appoint Consular officers in any British territories other than India, a separate agreement shall be drawn up to provide for such appointments, if they are approved by the British Government.

ARTICLE V.

The two High Contracting Parties mutually guarantee the personal safety and honourable treatment each of the representatives of the other, whether Minister, Consul-General, or Consuls, within their own boundaries, and they agree that the said representatives shall be subject in the discharge of their duties to the provisions set forth in the second Schedule annexed to this treaty. The British Government further agrees that the Minister, Consul-General, and Consuls of Afghanistan shall, within the territorial limits within which they are permitted to reside or to exercise their functions, notwithstanding the provisions of the said Schedule, receive and enjoy any rights or privileges which are or may hereafter be granted to or enjoyed by the Minister, Consul-General, or Consuls of any other Government in the countries in which the places of residence of the said Minister, Consul-General and Consuls of Afghanistan are fixed; and the Government of Afghanistan likewise agrees

that the Minister and Consuls of Great Britain shall, within the territorial limits within which they are permitted to reside or to exercise their functions, notwithstanding the provisions of the said Schedule, receive and enjoy any rights or privileges which are or may hereafter be granted to or enjoyed by the Minister or Consuls of any other Government, in the countries in which the places of residence of the said Minister and Consuls of Great Britain are fixed.

#### ARTICLE VI.

As it is for the benefit of the British Government and the Government of Afghanistan that the Government of Afghanistan shall be strong and prosperous, the British Government agrees that, whatever quantity of material is required for the strength and welfare of Afghanistan, such as all kinds of factory machinery, engines and materials and instruments for telegraph, telephones, &c., which Afghanistan may be able to buy from Britain or the British dominions or from other countries of the world, shall ordinarily be imported without let or hindrance by Afghanistan into its own territories from the ports of the British Isles and British India. Similarly the Government of Afghanistan agrees that every kind of goods, the export of which is not against the internal law of the Government of Afghanistan, and which may in the judgment of the Government of Afghanistan be in excess of the internal needs and requirements of Afghanistan, and is required by the British Government, can be purchased and exported to India with the permission of the Government of Afghanistan. With regard to arms and munitions, the British Government agrees that, as long as it is assured that the intentions of the Government of Afghanistan are friendly, and that there is no immediate danger to India from such importation in Afghanistan, permission shall be given without let or hindrance for such importation. If, however, the Arms Traffic Convention is hereafter ratified by the Great Powers of the world and comes into force, the right of importation of arms and munitions by the Afghan Government shall be subject to the proviso that the Afghan Government shall first have signed the Arms Traffic Convention, and that such importation shall only be made in accordance with the provisions of that Convention. Should the Arms Traffic Convention not be ratified or lapse, the Government of Afghanistan, subject to the foregoing assurance, can from time to time import into its own territory the arms and munitions mentioned above through the ports of the British Isles and British India.

#### ARTICLE VII.

No Customs duties shall be levied at British Indian ports on goods imported under the provisions of Article VI on behalf of the Government of Afghanistan, for immediate transport to Afghanistan, provided that a certificate, signed by such Afghan authority or representative as may from time to time be determined by the two Governments, shall be presented at the time of importation to the Chief Customs Officer at the port of import, setting forth that the goods in question are the property of the Government of Afghanistan and are being sent under its orders to Afghanistan, and showing the description, number and value of the goods in respect of which exemption is claimed; provided, secondly, that the goods are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade, and provided, thirdly, that the goods are, unless of a clearly distinguishable nature, transported through India in sealed packages, which shall not be opened or sub-divided before their export from India.

And also the British Government agrees to the grant, in respect of all trade goods imported into India at British ports for re-export to Afghanistan and exported to Afghanistan by routes to be agreed upon between the two Governments, of a rebate at the time and place of export of the full amount of Customs duty levied upon such goods, provided that such goods shall be transported through India in sealed packages, which shall not be opened or sub-divided before their export from India.

And also the British Government declares that it has no present intention of levying Customs duty on goods or livestock of Afghan origin or manufacture, imported by land or by river into India or exported from Afghanistan to other countries of the world through India, and the import of which into India is not prohibited by law. In the event, however, of the British Government, deciding in the future to levy Customs duties on goods and livestock imported into India by land or by river from neighbouring States it will, if necessary, levy such duties on imports from Afghanistan; but in that event it agrees that it will not levy higher duties on imports from Afghanistan than those levied on imports from such neighbouring States. Nothing in this Article shall prevent the levy on imports from Afghanistan of the present Khyber tolls and of octroi in any town of India in which octroi is or may be hereafter levied, provided that there shall be no enhancement over the present rate of the Khyber tolls.

#### ARTICLE VIII.

The British Government agrees to the establishment of trade agents by the Afghan Government at Peshawar, Quetta, and Parachinar, provided that the personnel and the

property of the said agencies shall be subject to the operations of all British laws and orders and to the jurisdiction of British Courts ; and that they shall not be recognised by the British authorities as having any official or special privileged position.

#### ARTICLE IX.

The trade goods coming to (imported to) Afghanistan under the provisions of Article VII from Europe, etc., can be opened at the railway terminuses at Jamrud, in the Kurram, and at Chaman, for packing and arranging to suit the capacity of baggage animals without this being the cause of re-imposition of Customs duties ; and the carrying out of this will be arranged by the trade representatives mentioned in Article XII.

#### ARTICLE X.

The two High Contracting Parties agree to afford facilities of every description for the exchange of postal matter between their two countries, provided that neither shall be authorised to establish Post Offices within the territory of the other. In order to give effect to this Article, a separate Postal Convention shall be concluded, for the preparation of which such number of special officers as the Afghan Government may appoint shall meet the officers of the British Government and consult with them.

#### ARTICLE XI.

The two High Contracting Parties having mutually satisfied themselves each regarding the goodwill of the other, and especially regarding their benevolent intentions towards the tribes residing close to their respective boundaries, hereby undertake each to inform the other in future of any military operations of major importance, which may appear necessary for the maintenance of order among the frontier tribes residing within their respective spheres, before the commencement of such operations.

#### ARTICLE XII.

The two High Contracting Parties agree that representatives of the Government of Afghanistan and of the British Government shall be appointed to discuss the conclusion of a Trade Convention and the convention shall in the first place be regarding the measures (necessary) for carrying out the purposes mentioned in Article IX of this treaty. Secondly, (they) shall arrange regarding commercial matters not now mentioned in this treaty, which may appear desirable for the benefit of the two Governments. The trade relations between the two Governments shall continue until the Trade Convention mentioned above comes into force.

#### ARTICLE XIII.

The two High Contracting Parties agree that the first and second schedules attached to this treaty shall have the same binding force as the Articles contained in this treaty.

#### ARTICLE XIV.

The provisions of this treaty shall come into force from the date of its signature, and shall remain in force for three years from that date. In case neither of the High Contracting Parties should have notified, twelve months before the expiration of the said three years, the intention to terminate it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. This treaty shall come into force after the signatures of the Missions of the two Parties, and the two ratified copies of this shall be exchanged in Kabul within 2½ months after the signatures.

(Sd.) MAHMUD TARZI,

*Chief of the Delegation of the Afghan  
Government for the conclusion of  
the Treaty.*

*Tuesday, 30th Ayrab 1300 Hijra  
Shamsi (corresponding to 22nd  
November 1921).*

(Sd.) HENRY R. C. DOBBS,

*Envoy Extraordinary and Chief of  
the British Mission to Kabul.*

*This twenty-second day of November  
one thousand nine hundred and  
twenty-one.*

#### SCHEDULE I.

(Referred to in Article II).

In the nulla-bed running from Landi Khana to Painda Khak Post, the Afghan frontier has been advanced approximately 700 yards, and the Tor Kham ridge, including Shamsa Kandao and Shamsa Kandao Sar, is comprised in Afghan territory. Further, the Afghan frontier has been advanced between the point where the present boundary joins the Kabul river and Palosai from the centre of the river to the right bank.

#### SCHEDULE II.

*Legations and Consulates.*

(a) The Legations, Consulate-General, and Consulates of the two High Contracting Parties shall at no time be used as places of refuge for political or ordinary offenders, or

as places of assembly for the furtherance of seditious or criminal movements, or as magazines of arms.

(b) The Minister of His Britannic Majesty at the Court of Kalul shall, together with his family, Secretaries, Assistants, Attachés, and any of his menial or domestic servants or his couriers who are British subjects, be exempt from the civil jurisdiction of the Afghan Government, provided that he shall furnish from time to time to the Afghan Government a list of persons in respect of whom such exemption is claimed, and, under a like proviso, the Minister of the Amir to the Royal Court of London to which all the Ambassadors of States, are accredited shall, together with his family, Secretaries, Assistants, Attachés and any of his menial or domestic servants or his couriers who are Afghan subjects, be exempt from the civil jurisdiction of Great Britain. If an offence or crime is committed by an Afghan subject against the British Minister, or the persons above-mentioned who are attached to the British Legation, the case shall be tried according to the local law by the Courts of Afghanistan within whose jurisdiction the offence is committed, and the same procedure shall be observed *vice versa* with regard to offences committed in England by British subjects against the Afghan Minister, or other persons above-mentioned, attached to the Afghan Legation.

(c) (i) A Consul-General, Consuls, and members of their staffs and households, who are subjects of the State in which they are employed, shall remain subject in all respects to the jurisdiction, laws and regulations of such State.

(ii) A Consul-General, Consuls, and members of their staffs and households, other than subjects of the State in which they are employed, shall be subject to the jurisdiction of the Courts of such State in respect of any criminal offence committed against the Government or subjects of such State, provided that no Consul-General, Consul, or member of their staff or household, shall suffer any punishment other than fine; provided also that both Governments retain always the right to demand recall from their dominions of any Consul-General, Consul, or member of their staff or household.

(iii) A Consul-General, Consuls, and members of their staffs and households, other than subjects of the State in which they are employed, shall be subject to the jurisdiction of the Courts of the said State in respect of any civil cause of action arising in the territory of the said State, provided that they shall enjoy the customary facilities for the performance of their duties.

(iv) The Consul-General of Afghanistan and Consuls shall have a right to defend the interests of themselves or any members of their staffs and households who are subjects of their own Governments, in any Court through pleaders or by the presence of one of the Consulate officials, with due regard to local procedure and laws.

(d) The Ministers, Consul-General and Consuls of the two High Contracting Parties and the members of their staffs and households shall not take any steps or commit any acts injurious to the interests of the Government of the country to which they are accredited.

(e) The Ministers, Consul-General, and Consuls of the two Governments in either country shall be permitted to purchase or hire on behalf of their Governments residences for themselves and their staff and servants, or sites sufficient and suitable for the erection of such residence and grounds of a convenient size attached, and the respective Governments shall give all possible assistance towards such purchase or hire; provided that the Government of the country to which the Ministers or Consuls are accredited shall, in the event of an Embassy or Consulate being permanently withdrawn, have the right to acquire such residences or lands at a price to be mutually agreed on; and provided that the site purchased or hired shall not exceed twenty *jaribs* in area.

*Note.—Each jarib = 60 × 60 yards, English = 3,600 square yards.*

(f) The Ministers, Consul-General, and Consuls of the two Governments shall not acquire any immovable property in the country to which they are accredited without the permission of the Government of the said country.

(g) Neither of the two High Contracting Parties shall found a mosque, church, or temple, for the use of the public, inside any of its Legations or Consulates, nor shall the Ministers, Consul-General or Consuls of either Governments or their Secretaries or members of their staffs and households engage in any political agitation or movement within the country to which they are accredited, or in which they are residing.

(h) The Ministers, Consul-General, and Consuls of the two High Contracting Parties shall not grant naturalisation or passports or certificates of nationality or other documents of identity, to the subjects of the country in which they are employed in such capacity.

(i) The Ministers of the two High Contracting Parties besides their own wives and children, may have with them not more than 35 persons, and a Consul-General and Consuls, besides their own wives and children, not more than 20 persons. If it becomes necessary to employ in addition subjects of the Government of the country to which they are accredited, Ministers can employ not more than ten persons, and Consul-General and Consuls not more than five persons.

(j) The Ministers, Consul-General, and Consuls of the two High Contracting Parties shall be at liberty to communicate freely with their own Government, and with other official representatives of their Government in other countries by post, by telegraph, and by wireless telegraphy, in cypher or *en clair*, and to receive and despatch sealed bags by courier or post, subject to a limitation in the case of Ministers of six pounds per week, and in the case of a Consul-General and Consuls of four pounds per week, which shall be exempt from postal charges and examination, and the safe transmission of which shall, in the case of bags sent by post, be guaranteed by the Postal Departments of the two Governments.

(k) Each of the Governments shall exempt from the payment of Customs, or other duties, all articles imported within its boundaries in reasonable quantities for the personal use of the Minister of the other Government or of his family, provided that a certificate is furnished by the Minister at the time of importation that the articles are intended for such personal use.

## I.

## LETTER FROM BRITISH REPRESENTATIVE TO SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER.

*After compliments.*—With reference to the provisions contained in Article VI of the treaty concluded between the Government of Afghanistan and the British Government regarding the importation of arms and munitions into Afghanistan through India, I have the honour to inform and assure you that although the British Government has in that article reserved to itself the right exercised by every nation to stop the transportation to a neighbouring country of arms and munitions, in the event of its not being assured of the friendly intentions of that country, the British Government has no desire to make trifling incidents an excuse for the stoppage of such arms and munitions. It would only be in the event of the Government of Afghanistan showing plainly by its attitude that it had determined on an unfriendly and provocative course of policy towards Great Britain, contrary to the neighbourly treaty above-mentioned, that the latter State would exercise the right of stoppage. There is every ground for hope that such a contingency will never arise, in view of the friendly relations which are expected to spring from the treaty which has now been concluded.—*Usual ending.*

## II.

## LETTER NO. 112, FROM SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER, TO THE BRITISH REPRESENTATIVE AT KABUL.

*After compliments.*—Regarding the purchase of arms and munitions which the Government of Afghanistan buys for the protection of its rights and welfare, from the Governments of the world (and) imports to its own territory from the ports of Great Britain and British India, in accordance with Article VI of the treaty between the two great Governments, I, in order to show the sincere friendship which my Government has with your Government, promise that Afghanistan shall, from time to time before the importation of the arms and munitions at British ports, furnish a detailed list of those to the British Minister accredited to the Court of my sacred and great Government, so that the British Government, having known and acquainted itself with the list and the number of imported articles, should, in accordance with Article VI of the treaty between the two Governments, afford the necessary facilities.—*Usual ending.* Dated 29th Aqrab A. H. 1300.

## III.

## LETTER NO. 111, FROM SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER, TO THE BRITISH REPRESENTATIVE AT KABUL.

*After compliments.*—As in Article VII of the treaty (between) the two great Governments of Britain and Afghanistan your Government has with great sincerity granted a discriminating exemption from Customs duties on the goods required by my Government, and on the trade goods transported to Afghanistan through the ports of Great Britain and British India, and has not imposed Customs on goods produced and manufactured in

Afghanistan, I therefore also, in consideration of the friendship (between) the two Governments, write that my Government will not give the opportunity of establishing a Consul-General or Consul or representatives of the Russian Government at the positions and territories of Jalalabad, Ghazni, and Kandahar, which are contiguous to the frontiers of India. If the Consulates or representatives of the Government of Russia are allowed in the parts mentioned, the Government of Afghanistan shall not have the above-mentioned right of exemption. Of course the temporary association of the Russian Minister with His Majesty's move to Jalalabad in winter will be an exception.—*Usual ending.* Dated 30th Aqrab A. II. 1300.

## IV.

## LETTER FROM BRITISH REPRESENTATIVE TO SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER.

*After compliments.*—As the conditions of the frontier tribes of the two Governments are of interest to the Government of Afghanistan, I inform you that the British Government entertains feelings of goodwill towards all the frontier tribes, and has every intention of treating them generously, provided they abstain from outrages against the inhabitants of India. I hope that this letter will cause you satisfaction.—*Usual ending.*

194. **Russo-Afghan affairs.**—Bravine,<sup>1</sup> on his supersession by Suritz had become an Afghan subject, and in January 1921, was murdered at Ghazni, probably at Bolshevik instigation and with Afghan connivance.<sup>2</sup>

Suritz was succeeded as Minister by Raskolnikov who reached Kabul on July 16, 1921.

In the autumn of 1920 relations between the Soviet and Afghanistan were strained, not only over the Bokharan revolution<sup>3</sup>, but also owing to Russian intrigues with the Jamshedis, a tribe living in Badghis, a considerable number of whom the Russian frontier officers induced to migrate at this time to Panjdeh. From this base they carried out constant raids on Afghan territory. The Amir consequently deported large numbers of Jamshedis from the Herat frontier into the interior.<sup>4</sup>

The Russians on the other hand accused Abdul Rahim, the Commandant of the Afghan post opposite Kushk, of intriguing with their subjects and organising Afghan raids into Russian territory.

195. **Retrospect of the period.**—With the failure of the Treaty of Sèvres and the collapse of the opposition to the Bolshevik Government, the British position in the East deteriorated steadily, and was sedulously attacked by the Russians and Turks in combination (paras. 107 and 108). In Persia British influence was on the wane (para. 109) and in Mesopotamia, Syria, and Morocco, the course of events tended to foster Pan-Islamic and anti-European propaganda (paras. 110, 111, 112). In India political conditions were extremely disturbed and the economic situation unfavourable (paras. 113—117). On the North-West Frontier and in Baluchistan good progress, marred by some serious raids, was made in the task of pacification and reconstruction (paras. 118—123).

The difficulty of the Kabul negotiations was greatly enhanced by the signature, almost at their inception, of the Russo-Afghan Treaty on February 28, 1921 (para. 151). Sir H. Dobbs was consequently struggling throughout against a *fait accompli*. The six months lost in the period of inconclusive probation, prescribed by the 'Treaty in two chapters' could never be recovered:—

'What we might have got out of Afghan fears at Rawalpindi, we could not have got at Mussoorie. What we might have got had we immediately accepted Amir's invitation in October, after fall of Bokhara, we cannot get now that hostile influence of Jemal is predominant'.<sup>5</sup>

So wrote Sir H. Dobbs, and the Government of India endorsed this view:—

'We have already lost much valuable time and may be already too late'.<sup>6</sup>

There were three alternative forms of Treaty (para. 142):—

(1) The 'Pis aller', based on the Mussoorie aide memoire, and favoured by the Government of India. His Majesty's Government objected to it on the

<sup>1</sup>Para. 88.

<sup>2</sup>Note on conversation with Jemal Pasha (20-2-1921). (A. S. V n. p. 9).

<sup>3</sup>Para. 108.

<sup>4</sup>Letter 174 (3-2-1921) from Br. Rep., Kabul, to G. of I. (A. S. IV 819).

<sup>5</sup>Tel. 53 (27-2-1921) from Br. Rep., Kabul, to G. of I. (A. S. V 33).

<sup>6</sup>Tel. 287 (1-3-1921) from G. of I. to S. of S. (*Ibid.* 39).

ground that it gave a subsidy to the Amir simultaneously with the Russian subsidy (paras. 132, 163). It was abandoned because the Afghan Government declined to make the full disclosure of the terms of the Russo-Afghan Treaty (paras. 171, 182) on which His Majesty's Government insisted as a condition precedent to the conclusion of a Treaty of this kind.

(2) The 'Exclusive' or 'Maximum' aimed in its complete form at the total elimination of Bolshevik influence from Kabul. It was rejected by the Afghan Government as being incompatible with their independence (paras. 165, 172). There is good reason to hold that even if it had been accepted on paper, it could never have been enforced in practice, in view of its extensive implications. These embraced, for instance, in addition to the break with Russia the exclusion of Turkish, Bokharan, (paras. 164-165), and German (para. 167) elements from the country. As the Government of India pointed out, this form of Treaty would have cut across the whole policy which the Amir had championed since his accession (para. 162), and it is difficult to believe that the Afghan Government ever seriously contemplated accepting it. The pretence of doing so at any rate elicited useful information as to the aims of British policy and the price which His Majesty's Government would be willing to pay for an exclusive treaty; but, apart from any particular motive, the Afghan has an inveterate propensity for wanting 'to see everything in the shop', and, in the apt phrase of an American observer, for 'negotiating on a hot air basis'.

(3) The 'gentlemanly' remained and was accepted as a last resort. It was not a 'Treaty of Friendship' and did not infringe the main principles laid down by His Majesty's Government, *viz.*,

- (a) The elimination of the Eastern Consulates, was a necessary condition for the conclusion of any Treaty.
- (b) No Treaty of Friendship could be concluded unless full disclosure were made of all the terms of the Russo-Afghan Treaty.
- (c) Payment of a British subsidy to the Amir while he was in receipt of one from Russia would be highly objectionable (para. 150).

The course of the negotiations was affected by the action of His Majesty's Government in three particulars:—

(1) the unexpected disclosure in Sir R. Horne's note to Krassin of secret information regarding Russian intrigues with the Afghan Government (para. 152),

(2) the protest made against the negotiation of a Treaty with the Afghan Government by Italy (para. 167),

(3) the cool reception accorded to the Afghan mission in London (para. 180).

The Government of India were pessimistic as to the results of the Treaty:—

'Even if Afghans were willing to accept a gentlemanly treaty, we are sceptical of ostentatious indifference on our part giving us a hold over them. We have tried those tactics without success from the Rawalpindi treaty onwards and do not see any likelihood of our meeting with more success in the future.....We cannot.....believe that such a treaty would lead to the establishment of peace and tranquility on the frontier or enable us to economise one rupee of the very large expenditure which is now being daily incurred'—<sup>1</sup>

and yet it had certain merits. It was, so far as its actual provisions went, a dignified Treaty, and would have been still more so if Sir H. Dobbs had not been obliged, during the negotiations, to betray the anxiety caused to His Majesty's Government by the presence of a Bolshevik Legation in Kabul; while the very looseness of the relations which it recorded, rendered less probable the friction which would almost certainly have resulted from a closer association.

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<sup>1</sup>Tel. 1865 (16-8-1921) from Viceroy to S. of S. (A. S. VI. 161).

## PERIOD IV.

FROM THE DEPARTURE OF THE BRITISH MISSION FROM AFGHANISTAN (4-12-1921), TO THE OUTBREAK OF THE KHOST REBELLION (31-3-1924).

### CHAPTER XI.

#### THE SITUATION IN THE NEAR AND MIDDLE EAST.

**196. Turkey.**—By the autumn of 1921 the Greek advance had been definitely checked.

In March 1922, the Foreign Ministers of the Allies met in conference at Paris, and proposed an armistice on the basis of the evacuation of Anatolia by the Greek army. The Greeks were prepared to accept these terms, but reservations were made by the Angoran Government on the ground that the partition of Thrace, which the Allies' proposals involved, was contrary to the National Pact.

On August 26, Mustapha Kemal attacked and broke through the Greek position at Afion Karahissar. By August 30 the whole Greek army was in full retreat, and in September the Turks entered Smyrna. The neutral zone held by the allied forces, covering the Bosphorus and Dardanelles, was now threatened; and on September 20 the French and Italian Governments, in pursuance of their 'Turkophil' policy, of which there had been ample evidence during the previous year, withdrew their troops from the Asiatic shore. The "Aman-i-Afghan" of November 21, 1922 accused Great Britain of having been willing to ruin Turkey in the interests of Greece, and praised France and Italy for "their firmly just attitude which left Great Britain with the choice only of abandoning her evil designs, or of pursuing them unsupported, which would have been strictly against her political traditions." Once more Great Britain was left in a position which caused her to be represented as the sole obstacle to Turkish ambitions, and consequently as the real enemy of Islam.

"It appeared that Great Britain was the single Power who now stood between Islam and the fulfilment of her hopes."<sup>1</sup>

Hostilities between the British and Turkish forces at Chanak were narrowly averted, but the situation was eased by the conclusion, on October 11, of the Mudania Convention, which established a *modus vivendi* pending the conclusion of a definite Treaty.

On November 5, Rafet Pasha obtained control of Constantinople by a *coup d'état*, and on November 20 the Lausanne Conference began. Negotiations dragged on until July 1923, when the Treaty was signed by which the claims of Turkish nationalism were finally admitted, and the capillatory rights of foreigners in Turkey abolished.

"The Turks won the peace at Lausanne."<sup>2</sup>

But meanwhile events had occurred which made the Turkish triumph less useful, for the purposes of anti-British propaganda in Moslem countries, than it might otherwise have been.

In October 1922, on the approach of the Turkish forces, Sultan Mehmed Vahideddin had fled from Constantinople to Malta in a British warship. The Angora Government thereupon deposed him, and appointed Abdul Majid Caliph. As Abdul Majid had no temporal power, the Sultanate and Caliphate were now definitely separated. This was a serious blow to the Khilafatists in India who had always maintained that temporal power was a necessary adjunct of the Caliphate.

On October 30, 1923 the Turkish republic was proclaimed, with Mustapha Kemal as President. On March 3 of the next year the Caliphate itself was abolished, and the republic 'laicised' by the exclusion of the Sheikul Islam from the Council of Ministers, and the confiscation of the Evkaf properties to the State.

<sup>1</sup>Diary of M. A. Kabul 1922. 35 (6).

<sup>2</sup>The Afghan Foreign Minister, September 28, 1922 (F. 378. F. 1923).

<sup>3</sup>Sir V. Chirol 'The Downfall of the Ottoman Khilafat.'

**197. Russia.**—During 1922 Russia, was gradually recovering from the economic distress of 1921. The Genoa Conference (April 10—May 22, 1922) intended to devise some avenue for Soviet Russia to enter the comity of Nations, proved abortive ; but the Soviet took advantage of it to conclude an economic agreement with Italy, and the Treaty of Rapallo, by which diplomatic and consular relations were established with Germany.

Bolshevik intrigues against Great Britain, particularly in the East, continued, although with greater secrecy than before the presentation of Lord Curzon's note of September 7, 1921 ; and on May 3, 1923 a note was sent by His Majesty's Government to the British Representative at Moscow for delivery to the Soviet Government,

'Protesting against propaganda in Persia, Afghanistan, and among frontier tribes, and relations of Russian emissaries with Indian seditionists, and demanding apologies repudiation and dismissal of officials concerned. It also demands reparation in certain cases of illtreatment of British subjects. Failing satisfaction His Majesty's Government will regard themselves as virtually liberated from obligations of Trade Agreements.'<sup>1</sup>

In regard to Russian activities in Afghanistan, this Note quoted secret intelligence showing the zeal with which Raskolnikov had attempted to send assistance to the Wazir tribes, and to promote Bolshevik propaganda in India, and demanded that the officials who had been responsible for such acts should be 'disowned and recalled from the scene of their maleficent labours.'<sup>2</sup>

In reply the Soviet Government denied the charges made in the British Note, and after further correspondence the crisis was ended by undertakings with which His Majesty's Government declared themselves to be satisfied :—

'Terms laid down by His Majesty's Government have been conceded in all essential particulars, and decisive diplomatic success has thus been achieved over Soviet Government.'

As has been already mentioned, the recall of Raskolnikov from Kabul had been demanded, but the Soviet Government intimated in reply that his transfer had already been ordered.

The comment of His Majesty's Government on this point was :—

'It is now understood by His Majesty's Government that the transfer to another post of M. Raskolnikov, against whom the main charges have been made, has already been decided on, in accordance with normal arrangements governing movements of members of Russian Diplomatic Service. This will remove the obstacle to friendly intercourse which his continued presence in Kabul prevents.'<sup>3</sup>

It may be noted however that M. Raskolnikov actually presented new credentials on October 2, and only left Kabul on November 5.<sup>4</sup>

The progress of events in Turkey, particularly the conclusion of the Lausanne Treaty and the abolition of the Caliphate, seriously reduced the value to the Soviet Government of the entente with Turkey, as a means of popularising Bolshevik doctrines in the East. At the same time their relations with Turkey, which, as has been noticed, had from the first contained elements of discord,<sup>5</sup> became noticeably strained.

The Russo-Turkish Treaty of March 1921 had been supplemented by a secret military convention, under which Russia was to pay a subsidy and to supply arms to Angora ; but owing to mutual distrust its provisions were only partially carried into effect.

In October 1922 negotiations were opened for a secret alliance, offensive and defensive in character, but no definite conclusion appears to have been reached ; and thereafter as Turkey emerged from her difficulties, and no longer stood in such urgent need of Russian support, relations between the two countries deteriorated.

In January 1923 there is evidence to show that the Soviet was seriously alarmed at the idea of an alliance being concluded between Turkey, Persia, and Afghanistan, without the participation of Russia.

In July Mustapha Kemal negotiated a Treaty with Poland, which is believed to have included secret clauses of a defensive and offensive kind directed against

<sup>1</sup>Tel. 626 (12-5-1923) from G. of I. (F. 188-II, 1-A).

<sup>2</sup>F. 188-JL, 17.

<sup>3</sup>Tel. 31 (19-6-1923) from S. S. F. A. to Min. Kabul (F. 188-F. II 31).

<sup>4</sup>Para. 274.

<sup>5</sup>Para. 107.

Russia. Matters were not improved during the year 1922 by the course of events in Turkestan. It has already been noticed that, although the leaders of the old Committee of Union and Progress had been working in close association with the Bolshevik authorities in the East, there is reason to think that they were secretly pursuing a Pan-Turanian policy of their own, which was hostile to Russian interests.<sup>1</sup> The revolution in Bokhara had been followed by the outbreak of an anti-Bolshevik rebellion, on an extensive scale. In March 1922 Enver Pasha, who had until then been working in apparent harmony with the Bolshevik Government, joined the rebels, known as "Basmachis", as their Commander-in-Chief. The prestige of his name gave a great impetus to the rebellion until his death near Baljuan on August 4, 1922.

The year 1922 saw the abandonment by the Soviet Government of communism in the extreme form in which it had formerly been enforced; in fact by the close of the year the "Times" declared:—

'Now there is no communism left.'<sup>2</sup>

In February 1924 the Soviet Government was granted *de jure* recognition by the British Labour Government, which had just come into power.

**198. Persia.**—The establishment of a Nationalist Government under Reza Khan, with the appointment of Americans as financial advisers, and the fact that Great Britain no longer appeared to aim at political predominance in Persia largely reduced, as in the case of Turkey, the material available for anti-British propaganda.

The arrival however in September 1922 of the Mujtahids expelled from Iraq gave rise to agitation, which had some repercussion in Afghanistan.<sup>3</sup>

**199. Egypt.**—The course of affairs in Egypt on the whole tended to disarm criticism of British policy.

On February 28, 1922 the British protectorate had been formally terminated, and 1923 saw the return of Zaghlul Pasha and the framing of the Constitution. In January 1924 Zaghlul became Prime Minister, and the first Egyptian Parliament was opened in March.

**200. Iraq.**—The Mosul question had remained undecided by the Lausanne negotiations, and the possibilities of trouble in this connection, between Great Britain and Turkey, attracted some attention in the Afghan Press.

As regards the British Treaty with Iraq the "Aman-i-Afghan" commented:—

'From this painful treaty it is not to be expected that much benefit will accrue to Iraq or loss to Great Britain; rather will it be directly the contrary.'<sup>4</sup>

**201. General.**—A survey of the general situation in the Near and Middle East at the close of this period—April 1924—shows a great improvement in the British position in Asia. Since the War, Great Britain had been consistently represented as the principal opponent of the emancipation of the Moslem peoples in Turkey, Egypt, Persia, and Afghanistan, and it was against Great Britain that the Pan-Islamic movement had been mainly directed.

As an example of the more violent type of propaganda on these lines an article contributed to the Indian Press by a Kabul correspondent may be quoted:—

'Mr. Lloyd George's promise of 1914 at the time of the entry of the Turks into the Great War, that the Muhammadan Holy Places will be respected, was broken barefacedly. It is but natural that a power determined to subjugate all weaker nations should resort to tricking and fraud, and it was mere foolishness of the Muslims of India to put faith in the words of such a nation.'

Although British diplomacy and its crooked ways were already exposed by the subjugation of Egypt and the part played by Britain in the Balkan wars, still the Muslims could not discern the treachery of the English. In the early stages of the Great War the British not only induced the Arabs with bribes to revolt against the Khalifa, but they also landed their armies at Jeddah to usurp the Holy Places. Not only did they subjugate Mecca and Medina, but they also bombed the house of God by means of aeroplanes merely to wound the feelings of the Muhammadans. Even Jerusalem which the Muhammadans had conquered, by sacrificing thousands of lives in the Crusades, did not escape their clutches. .... The Arabs expected their hopes and wishes would be fulfilled on the arrival of the British, but the result had been just the reverse, viz., they are now feeling the bonds of slavery on their necks. .... The British contemplated the conquest of

<sup>1</sup>Para. 107.

<sup>2</sup>The "Times", Jan. 1, 1923.

<sup>3</sup>Diary of M. A., Kabul, 1923, 34 (5).

<sup>4</sup>Diary of M. A., Kabul, 1922, 35 (6).

Afghanistan, but soon warlike Afghans began to collect on the Frontier in large numbers, and the British had to bend down before Ghazi Amir Amanullah Khan ..... It is a well known fact that the imperialistic British Government is hatching plans to deprive Egypt, Turkey, Persia, and Afghanistan of liberty, and plots are being made to bring about the destruction of Muslims, who should unite and drive away the non-Muslims from Jazirat-ul-Arab. There are only two alternatives before the Mussalmans now, either to become slaves of the enemies of Islam, or to carry out the commandments of God and His Prophet.

'The Christian nations will not rest quiet till the Mussalmans and Islam disappear from the world.'

The British nation, acting upon this dictum of Gladstone, is taking every opportunity of destroying Islam gradually.<sup>1</sup>

The Pan-Islamic movement, as has been noticed, was political in inspiration, but religious in its appeal to the masses.

'The cruel British—the enemies of Islam.'<sup>2</sup>

Now however that nationalism had triumphed in all these countries, and its success had been officially recognised by the British Government, the political motive of the Pan-Islamic movement disappeared ; while Mustapha Kemal, by the abolition of the Caliphate, had destroyed its appeal to popular sentiment.

The movement collapsed, and with it the principal machinery for anti-British propaganda in the East.

The general improvement of the situation in Ireland during 1922, as shown by the establishment of the Provisional Government and the meeting of the first Irish Parliament in September, although hailed by the Eastern nationalist as a further indication of the triumph of his cause throughout the world, was regarded as removing a dangerous source of weakness to the British Empire.

'The position of Great Britain in Afghan eyes has steadily improved. The Irish settlement, the peace with Turkey, the subsidence of the Khilafat movement..... have tended to remove sources of potential weakness, or close possible avenues for hostile intrigues.'<sup>3</sup>

The fall of the Coalition Government in Great Britain, and the advent to power of the Conservatives in January 1923, attracted little notice in Kabul, but considerable hopes were built on the formation of a Labour Government at the close of the year.

'A mistaken inference which appears in a widely published article in the "New Leader" that the policy of the late Government was aimed at the destruction of Afghan independence and the elimination of the Russian Legation from Kabul, was unfortunately reproduced in the Indian Press as the 'Labour Party's view' and seems to have encouraged Afghan diplomats to expect a complete change of attitude on the part of His Majesty's Government.'

'What shook our faith in the Cabinet of Mr. Baldwin more than anything else was their creation of a field of excitement and disturbance with Afghanistan. Without any reason it struck a great blow at Afghan faith in Great Britain. Now let us see what will be done by the Cabinet of Mr. Macdonald. Will the Labour Party put into practice its policy and ideals ?'

The recognition of the Soviet Government *de jure* by His Majesty's Government in February 1924 created some apprehensions of a possible renewal of the 1907 Agreement over the head of the Amir. This anxiety was expressed by the Afghan Foreign Minister to Sir F. Humphrys<sup>4</sup>, and the "Aman-i-Afghan" of February 5 pointed out that—

'Afghanistan must share in all discussions between Great Britain and Russia, and any understanding reached must have the approval of Afghanistan. Otherwise it will have no good results.'

In March the same paper published an account of an interview with the Russian Chargé d'Affairs, who was reported to have stated that—

'Russia would not consent to the continuance of the 1907 Convention. In any negotiations for new Treaties between England and Russia the Russian Government would certainly include any Eastern States whose interests were affected.'<sup>5</sup>

<sup>1</sup>Letter M. 4061 B. (13-2-1924) from Commr. Police, Bombay to Bombay Govt. [F. 110 (1) F. 1922].

<sup>2</sup>The "Ittifaq-i-Islam", June 14, 1922.

<sup>3</sup>Kabul despatch 56 (4-12-1923) (A. S. XI 40).

<sup>4</sup>Kabul despatch 48 (7-4-1924).

<sup>5</sup>The "Aman-i-Afghan" February 16, 1924.

<sup>6</sup>Kabul tel. 46 (10-2-1924) (A. S. XIII 18).

<sup>7</sup>Diary of M. A., Kabul, 1924, 8 (6).

<sup>8</sup>Diary of M. A., Kabul, 1924, 10 (7).

## CHAPTER XII.

### THE SITUATION IN INDIA.

#### A.—THE INTERNAL SITUATION.

**202. Collapse of the non-cooperation movement.**—By the beginning of 1922 Mr. Gandhi's influence was on the wane, and signs of disunion between his Hindu and Moslem adherents had become apparent. During the early months of 1922 both these tendencies were stimulated ; the first by the Chauri Chaura massacre committed by ' volunteers ' and villagers on February 4, 1922, and by the Bardoli resolutions of February 11-12, which virtually admitted the failure of non-co-operation ; and the second by the publication of the Government of India's memorandum urging on His Majesty's Government the necessity of modifying the terms of the Treaty of Sèvres in favour of Turkey, so as to provide for the suzerainty of the Sultan over the Holy Places, the restoration to Turkey of Smyrna and Thrace, and the evacuation of Constantinople.

This memorandum went far to conciliate moderate Moslem opinion, and to weaken Moslem support of the Extremist programme.

Mr. Gandhi was arrested on March 10, 1922 and subsequently sentenced to six years' imprisonment for sedition. The political atmosphere thereupon rapidly improved, and there was a marked fall in the number of seditious disturbances during the rest of the year.

In August 1923 Mr. Muhammad Ali was released from jail, and pressed on the Swarajists a programme for capturing the Councils by seeking election to them, as opposed to the non-cooperation policy of boycotting them. This programme was accepted, and non-co-operation was thus for all practical purposes extinct. The Council elections of 1923 resulted generally in victory for the Swarajists. In the Central Legislature however their strength of 45 seats was not sufficient to ensure a majority over all parties, and consequently in February 1924 a Nationalist Party of 70 members were formed, including the Swarajists and some Independents. In March 1924 the Finance Bill was thrown out by the vote of this Party.

**203. Communal dissensions.**—The danger from non-cooperation was over as soon as Mr. Gandhi went to jail, but with the removal of his unifying influence the dissensions between Hindus and Moslems, of which there had, as noticed above, already been signs, became acute. The inauguration of the Reforms brought forward at once the question of proportional representation of the two communities, and the resulting political rivalry accentuated the pre-existing racial cleavage between them. Mr. Das' efforts to settle the problem by the ' Bengal Pact ' proved a failure, and, as time went on, contributory causes appeared to inflame their dissensions.

Thus the Islamic renascence throughout the East was regarded by many Hindus as likely to revive a militant spirit among the Moslems of India itself ; while, on the other hand, the Sangatan and Shuddi movements set on foot by the Hindus appeared to Moslems to be devised to increase the numerical pre-ponderance of Hindus in the country. The Moplah rising had left a legacy of bitterness in southern India, and the Hindus found the immediate cause of the rebellion, and of the suffering inflicted by it on themselves, in the Khilafat agitation. Communal feeling was very apparent in connection with the appointment of the Frontier Enquiry Committee of 1922 and ' the central question, that of the maintenance of the North-West Frontier Province in its present condition or its amalgamation with the Punjab, showed signs of becoming a Hindu Moslem issue.<sup>1</sup>

During the Moharram of 1922 there were communal riots in Bengal and the Punjab, and throughout 1923 and 1924 these continued to occur ; each outbreak tending further to exacerbate the hostility between the two communities. The result of these internal dissensions, although gravely embarrassing to the administration, strengthened the political position of the Government of India, which now came to be looked upon by Hindu and Moslem minorities throughout the country as their only source of protection. The Hindu and Moslem leaders

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<sup>1</sup>India in 1922-3, (Rushbrook Williams) p. 44.

were no longer, as during Mr. Gandhi's ascendancy, united in opposition to Government, and their energies tended to become diverted from seditious agitation to the furtherance of their factional interests.

These developments, combined with the abolition of the Caliphate in March 1924, reduced the Indian Khilafat committee to political insignificance.

The attitude of the Moslem League on its revival in 1924 indicated a decision on the part of the Moslem leaders to devote their attention in future to Indian, rather than to international, problems.

### B.—THE SITUATION ON THE FRONTIER.

**204. General.**—The disturbed conditions on the North-West Frontier, largely the aftermath of the Third Afghan War, and especially the prevalence of raiding<sup>1</sup> had, during 1921, attracted public notice and criticism. On a resolution brought forward in the Legislative Assembly in 1921, a Frontier Enquiry Committee was appointed, and toured the Province in 1922.<sup>2</sup>

On March 5, 1923 the Foreign Secretary, who had been Chairman of the Committee, made an important pronouncement regarding the policy which had been decided upon in Waziristan, for the pacification of Mahsud country.

After discussing the 'forward policy', which he described as being 'in these days of acutest financial stringency' a mere counsel of perfection, and the 'close border policy' which he denounced as 'a policy of negation, and nothing more' leaving the tribesmen 'free in their devils' kitchen of mischief to brew incalculable trouble for us' Sir D. Bray described the 'Government policy'.

'The crux in Waziristan' he said 'is not the Wazirs.....but the Mahsuds who live in the strategical heart of Waziristan, separated from Afghanistan by the Wazirs, and separated from our British districts by the Bhittanis. In their inaccessibility lay their strength..... Though Government are determined to bring Mahsud country under control, it is not on the military occupation of Mahsud country that their policy is based. On the contrary, the military occupation of Mahsud country will shortly cease; to be replaced partly by internal control through Scouts and Khassadars, and partly by the domination of Mahsud country from two posts on the edge of, but outside, the Mahsud country itself, held in force and linked together by a connecting road..... Henceforth the Mahsuds will be robbed of much of the inaccessibility in which lay their strength..... The policy of Government in Waziristan is therefore the control of Waziristan—through a road system..... and this policy Government is determined to carry through with vigour and determination..... In the domain of India's foreign politics I know of one fixed and immutable rule only. What India has, let India hold. India is large enough to covet not a single square mile of ground that is not already her own. But India is not large enough to allow any invader of India—be he independent tribesman or foreign power, from south or north or east or west—more of her soil than a plot of ground 7 feet by 2½ and 4 feet deep.'

This speech, in spite of its explicit denial of any aggressive intentions, was not unnaturally denounced by the 'irredentists' of Kabul; the "Ittihad-i-Mashriqi" remarking :

'Mr. Denys Bray..... has spread much poison in his speech..... and in every word is concealed the hatred and the tyranny that actuates the British Army on the Frontier. This gentleman shows his knowledge of history by his statement that the so-called independent tribes belong to India. God knows where Mr. Denys Bray learnt that Wazirs, Mahsuds, Afridis, Mohmands, Swatis, Buneris, and other Afghan tribes are Indian..... If they should desire to establish relations with any Government it can only be with that of Afghanistan, an Islamic country, to which they are united by religious, social, and linguistic ties, and by the problems of existence.'<sup>3</sup>

Meanwhile steady progress had been made in the restoration of order in the Province, the number of raids recorded for the year ending March 31, 1922 being 194, as against 391 for the previous year. In 1922-23 the figure fell to 131, and in 1923-24 to 69.

**205. Afridis and Mohmands.**—In January 1922 Mirzali, the chief offender in the Foulkes case, was reported to have been expelled from Afridi limits and to have gone to Ningrahar. Satisfactory progress was made in February with the Zakka Khel settlement.

<sup>1</sup>Para. 122.

<sup>2</sup>Para. 203

<sup>3</sup>Diary M. A., Kabul, 1923, 12 (Appx.).

In March a proclamation appeared in the Khyber and Tochi, addressed by the Amir to the Frontier tribes, explaining his action in making peace with the British.<sup>1</sup>

By August the tribal battalion raised by Nadir Khan in 1919 had dwindled almost away.

In December considerable excitement was caused by the arrest in Mullagori tribal territory, by the Frontier Constabulary, of a noted outlaw, named Ibrahim. Direct action of this kind across the administrative border was resented by the Mullagoris, as 'a violation of independent territory'. They appealed to the Afridis and Mohmands for support, and the Chief Commissioner received a representative Afridi jirga to discuss the subject in January 1923. No agreement appears to have been reached on the question of principle involved.

In February Mirzali was reported to be back in Tirah.

On December 31 the Amir had arrived in Jalalabad from Kabul, and proceeded to Laghman. On February 20 he returned to Jalalabad, and held the 'Jalalabad jirgas' and a Darbar, which 5,000 to 6,000 Afridis and Mohmands are stated to have attended. By March 3 the jirgas had dispersed. On March 9 the Amir motored to the Torkham boundary, and was met by a certain number of tribesmen, with whom he mixed freely.

On March 13 he returned to Kabul. On March 26 a joint jirga of Afridis and Orakzais was held in Kohat to settle the Foulkes murder case, which had occurred as long before as November 14, 1920.<sup>2</sup>

On April 8 at 6.30 p.m. Majors Anderson and Orr of the Seaforth Highlanders were shot, while out walking at Haidari Kandao, on the Mullagori road about four miles from Landi Kotal.

On April 14, Mrs. Ellis, wife of Lt.-Col. A. J. Ellis of the Border Regiment, was murdered in her bungalow at Kohat, and her daughter, aged 18, abducted by a gang led by Ajab Khan, Bosti Khel Afridi, and Sultan Mir, Tirah Jowaki.

On April 24, Miss Ellis, having been released as a result of negotiations conducted with Ajab Khan by Khan Bahadurs Kuli Khan and Risaldar Moghal Baz Khan, arrived in Peshawar.

On April 24, troops on parade at Landi Khana were fired on by three men, who were reported to be residents of Dakka.

After the release of Miss Ellis an Afridi lashkar destroyed the villages of Ajab Khan and Sultan Mir in Tirah Jowaki limits.

On May 8, an air demonstration was carried out over Khanki Bazar, and on May 12 the Chief Commissioner, N. W. F. P. saw a representative jirga of Afridis and Orakzais at Shinawri.

Under a threat of war the Afridis and Orakzais sealed a declaration that the four members of the Kohat gang were their own enemies.

'From now onwards the abovementioned men and their families shall never enter our country. It shall be the duty of the section concerned to hand them over to Government if they enter the country of any section. It is our prayer that Government shall take action as it may deem suitable (by means of aeroplanes or otherwise) if any individual or section of our tribes shall give them shelter or passage.'

This agreement was hailed as a landmark in frontier history, and, had it been found possible to enforce it, might well have merited the description.

About May 16, the authors of the Kohat outrage, Ajab Khan and Shahzada (Bosti Khel Afridis), Sultan Mir and Gul Akbar (Tirah Jowakis), and Haidar Shah (Punjabi outlaw), left tribal territory for Afghanistan.

On May 21, the Adam Khel jirga was seen by the Chief Commissioner. The terms accepted by the tribe included a fine of Rs. 50,000, the destruction of the houses of Ajab and Shahzada, the establishment of Khassadar posts on the Kohat Pass road, expulsion of persons committing crimes in British territory, refusal of harbourage to outlaws, and an admission of the right of Government to enter their territory and arrest offenders, to widen the road through the Pass, and to construct a telegraph and telephone line.

On December 8, the Chief Commissioner N. W. F. Province met the Governor of the Eastern Province at Landi Kotal, with a view to devise joint action for the capture of the Kohat gang. The results were inconclusive.

<sup>1</sup>Para. 221.

<sup>2</sup>Para. 119.

On December 15, the Governor met the Political Agent, Khyber, in the same connection, and an Afridi lashkar was mobilised to watch the entrances from Sangu Khel limits into Tirah.

In January Ajab, Shahzada, and Haidar Shah surrendered to the Afghan Government, while Sultan Mir and Gul Akbar returned to Afridi country.

In January Ardali, one of the Landi Kotal murderers, was killed by Afghan troops. This action is stated to have greatly impressed the Afridis and Mohmands. Daud Shah was reported to have fled to Mohmand country after killing an Afghan soldier, who was one of the party attempting to arrest him and Ardali.

In March Sultan Mir and Gul Akbar were reported to be in Tirah, and to have begun to rebuild their house. They were however prevented by the Maliks from doing this.

**206. Kurram.**—In July 1922 there was a signal instance of good feeling on the part of the Afghan authorities at Matun, who warned the Jajis not to take revenge on the Turis for the death of some of their fellow tribesmen, but to refer the matter to the British authorities for settlement.

On October 7, a gang of deserters from the North Waziristan Militia ambushed a patrol of the Kurram Militia near Manduri, killing two and wounding three. On October 20, 1923, the Governor of Khost met the Political Agent, Kurram, at Kharlachi, for a settlement of this case. His attitude was so friendly as to cause criticism in Khost.

The joint commission for the settlement of Jaji and Turi cases by the British and Afghan Frontier officers was fixed for November 18.

On November 8, Captain Watts of the Kurram Militia and his wife were murdered, apparently by members of Ajab's gang, whose intention seems to have been to kidnap Mrs. Watts, and then to bargain for a pardon for themselves. The proposed joint commission was abandoned in consequence of this crime.

**207. Waziristan.**—Ladha had been occupied by British troops at the end of 1920, and, although the irreconcilables continued in opposition during 1921, the Wana Wazirs and Abdullais had both submitted by the end of the year.

On December 11, 1921 a lashkar, comprising a large number of Afghan subjects and deserters from the North Waziristan Militia, attacked a convoy in the Spinchilla Pass.

On March 11 a convoy between Spin and Khajuri was attacked by Wazir 'levies', incited it was believed by Haji Abdur Razzak from Shakin, 52 camels and Rs. 5,000 being lost.

On April 4, Wana was invested by the same forces strengthened by some Wazirs from Shahjui, but was relieved by air action.

In April Wazir deserters were enlisted as irregular Afghan forces, under Pat, an ex-Subedar of the North Waziristan Militia.

On April 16, Haji Abdur Razzak was recalled to Kabul, and in October was followed by Adam Khan from Uргhun. During this summer there was on the whole little indication of intrigue organised from Kabul.

On November 10, a daring raid was carried out by Jalal Khel Mahsuds near Dera Ismail Khan and some Indian officials were carried off. Their release was effected on the 20th. In December Brigadier Adam Khan returned to Uргhun from Kabul, and at once began to support the hostiles.

On December 12, Lieut. Dickson, R. E., who was engaged on the construction of the Razmak road was killed at the instigation, it is believed, of Musa Khan.

From the 17th to the end of the month the hostile sections of the Mahsuds were subjected to intensive bombing.

At the close of the year Razani was occupied without resistance.

In January the advance to Razmak began, and on January 8 intensive bombing and shelling of the Makin area was carried out, and continued in February. About the same time Adam Khan was reported to have summoned Haji Abdur Razzak's levies to Uргhun, to receive their arrears of pay. Reports as to his attitude were however contradictory.

In February the Abdullais accepted the terms of settlement in connection with the death of Lt. Dickson.

In March Adam Khan was reported to have paid not only the Haji's levies, but also considerable sums to the Taji Khel hostiles. He was stated also to have

promised employment to Mahsuds and Wazirs as Afghan Khassadars. These intrigues unsettled the tribes just as they appeared to be resigning themselves to the inevitable. One report estimated the payments made by Adam Khan during the previous month as amounting to half a lakh, and there was reason to believe that these funds were supplied by the Russian Legation at Kabul, through Fakhri Pasha, the Turkish Minister.

On April 2, the Tazi Khels were bombed from Dardoni as a punishment for a long series of offences. In the course of this operation the Afghan Frontier was violated, and compensation had to be paid by the Minister at Kabul for the casualties caused to personnel, property, and animals, in Afghan territory.

In April Lala Pir was reported to have arrived in Waziristan, to obtain from representative Mahsuds a petition to the Amir asking him to intervene in Waziristan affairs, and put pressure on the British Government to withdraw all troops from Waziristan.

On April 12, a small party of Mahsuds and Wazirs arrived in Kabul to invoke the Amir's assistance.

On April 13, the Scouts, who had been garrisoning Wana, were withdrawn, together with the local Political Officer. This operation unfortunately followed closely upon an intimation, given under instructions from His Majesty's Government to the Afghan Government, that the withdrawal of the British forces from advanced positions, could only be delayed by the continuance of Afghan intrigues in Waziristan, such as those of Adam Khan.<sup>1</sup>

On April 30, the Amir offered to depute one of his own officers to explain his attitude to the Mahsuds and Wazirs<sup>2</sup>. This offer was for obvious reasons declined.<sup>3</sup>

In May reports were received of the existence of a force of some 400 Afghan Khassadars, composed of Mahsuds and Wazirs, and employed entirely on the British side of the line.

Qutab Khan and Hayat Khan however who went to Kabul appeared to have had a chilly reception.

On July 6, Lieutenant Webster, Sappers and Miners, was shot in broad daylight near Piazha. The murder was connected with a jirga held shortly before by Qutab Khan at Kaniguram; its object being apparently to discredit the Khassadars, recently raised by the British frontier authorities.<sup>4</sup>

On August 6, a Wana Wazir jirga, held at Sarwekai, stated that allowances were still being paid to hostiles by Afghan officials.

On September 10 a Shakai Wazir jirga admitted that, out of the total number of Afghan Khassadars, only some 100 were at any time in Afghan territory.

On October 20 the Governor of Khost stated that orders had been received for the disbandment of the Khost Wazir Militia. Frontier intelligence reports however showed that this Militia had merely been transferred from military to civil control, and that both the Mahsud and the Wana Wazirs had been told that the Afghan Khassadar service was still open to them.

In December however four men deserted from the Khost Wazir Militia, and landed in their rifles to the Tochi authorities.

In January 1924 it was reported by the Political Agent that the dismissal of this corps had been carried out. This was soon after confirmed from the Kurram. On January 15 some Abdur Rahman Khel hostiles claimed to be Afghan subjects, as they had been given land in Logar, but agreed to give up their Afghan nationality if they received their share of 'maliki' and allowances.

In February information was received to the effect that the dismissal of the Mahsud Khassadars had also been carried out, though accompanied by a promise of pay in future for service at their homes.

**208. Baluchistan.**—On January 5, 1922 two British officers were fired at on the Murgha Musa Khel road, but escaped unhurt.

On March 3, two officers of the 27th Punjabis shooting at Khanai were captured by a gang, but subsequently released by a party of levies.

<sup>1</sup>Kabul despatch 12 (2-5-1923).

<sup>2</sup>Ibid.

<sup>3</sup>Tel. 653 (19-5-1923) from G. of I. to Min., Kabul (W. S. IV 525).

<sup>4</sup>Tel. 6846-444 (9-7-1923), from Waaforee, to G. of I. (A. S. VIII 47).

On October 5, two of the gang of Kakar raiders responsible for the murder of Captain Bright in November 1921, were captured. On the whole there were few incidents of importance on the Baluchistan border during 1922, and, in spite of occasional raiding in Zhob, the Province made a rapid recovery from the after effects of the Third Afghan War.

During 1923 the events of chief importance were the murders of Captain Baker Jones, I.M.S., on October 1, and Major Finnis on November 30.

The murder of Captain Baker Jones appears not to have been deliberate, as he was travelling in an ambulance at the time, and invisible to the culprits.

Major Finnis was shot in the Hasuband Pass by a gang consisting of four Zilli Khel Wazirs and two Sheranis. One of the Sheranis was captured next day ; of the Wazirs one was a havaldar in the Afghan Khassadars, while two more were close relations of men in the same corps.

The Shahjui Wazirs raided at the beginning of 1923 into British and Persian territory, one party moving down the Helmand, and looting caravans near Duz-dap, and the other going to Baluchistan, and causing some damage to life and property at Abazai.

## CHAPTER XIII.

### NARRATIVE OF EVENTS.

209. Two divisions of the period.—The period falls into two clearly distinguishable divisions :—

- (a) From December 4, 1921, to November 28, 1922, characterised by the pre-occupation of the Afghan Government with Bokharan affairs and the reaction of these on Russo-Afghan relations ; and
- (b) From November 28, 1922, to March 31st, 1924 during which events on the Indian frontier, and the resulting Anglo-Afghan crisis were the centre of interest.

By the beginning of 1922 the Amir had ensured international recognition of Afghan independence by the series of Treaties concluded with Foreign Powers, and was now free to turn his attention to the problems of his own Frontiers.

210. The interval from December 4, 1921 to March 6, 1922.—The interval between the departure from Afghanistan of Sir H. Dobbs on December 4, 1921 and the arrival of the British Minister in Kabul in March 6, was mainly occupied with matters of routine such as ratification of the Treaty, formalities regarding the appointment of the Ministers at Kabul and London, the method of correspondence between the British Legation, the Government of India, the India Office, and the Foreign Office, and other details, which are mentioned elsewhere. The inconvenience of having no representative at Kabul was illustrated by a frontier incident of some importance, which occurred during this period.

211. The Spinchilla raid.—On December 11, 1921 a convoy returning from Datta Khel in the Tochi was attacked by a Khost lashkar 500 strong, which included a large number of Afghan subjects, and deserters from the North Waziristan Militia employed as levies by the Afghan frontier administration.

The British losses were 2 British officers killed and 3 wounded, 16 other ranks killed or missing, and 49 wounded. The leader of the lashkar, Tarin, formerly a jemadar in the North Waziristan Militia, was killed.

This grave violation of the frontier was immediately brought to the notice of the Afghan Government by the Government of India, with a demand for the punishment of the raiders and the restoration of Government property. 'The lashkar' it was pointed out 'was organised in Khost, started from Khost, and returned to Khost'.<sup>1</sup> This demand was supported by a representation to the same effect from Lord Curzon which mentioned also the Barshor raid<sup>2</sup> and stated :—

'The prevention of such occurrences is one of the first objects and obligations of friendly States'.<sup>3</sup>

The Afghan reply to the Government of India's letter was sent by a Superintendent in the Afghan Foreign Office, and gave a hint of the attitude of the Afghan Government as to the distinction between 'friendly' and 'neighbourly' relations, which was soon afterwards to be emphasised in S. Mahmud Tarzi's reply to Sir H. Dobbs' letter on the subject.<sup>4</sup>

'Pacifying arrangements in accordance with the promise to Honourable Sir H. Dobbs have been taken in view, but the actual reply and feeling pertaining to such like occurrences and other diplomatic problems would be submitted after the arrival of Extraordinary Envoy at their respective residential points.'<sup>5</sup>

212. Meeting proposed between the Prince of Wales and the Amir.—There was some correspondence at this time between Sir Henry Dobbs and S. Mahmud Tarzi regarding a proposal that the Amir should meet the Prince of Wales on the Frontier. On S. Mahmud Tarzi explaining that such a meeting could only take place at Kabul and asking for two weeks notice from Lord Curzon<sup>6</sup>, the idea was abandoned.<sup>7</sup>

<sup>1</sup>Tel. 683 (16-11-1921), from G. of I., to Af. For. Min. (A. S. VI, 710).

<sup>2</sup>Para. 188.

<sup>3</sup>Tel. 6450 (21-12-1921), from S. of S., to G. of I. (A. S. VI, 722).

<sup>4</sup>Para. 192.

<sup>5</sup>Tel. 22-12-1921, from Supdt. Afghan For. Ministry, to G. of I. (A. S. VI, 724).

<sup>6</sup>Letter from Af. For. Min., to Sir H. Dobbs (12-1-1922), (A. S. VII, 86).

<sup>7</sup>Letter 3-P. O. B. (24-1-1922), from Sir H. Dobbs, to Af. For. Min. [*Ibid.* 86 (a)].

**213. Amenities outside the Treaty.**—From the first Sir H. Dobbs had made it clear that His Majesty's Government had no intention of working the new Treaty in a niggling spirit. Minor concessions had been made and courtesies shown to the Afghan Government, in the hope that the latter might be induced to take a similarly liberal view of their obligations. Examples of this policy are to be found in the gift, on the conclusion of the Treaty, of telegraph material for a line of 460 miles<sup>1</sup> with free carriage to Jalalabad, and of the wireless installation used by the Mission in Kabul, in the free training of Afghan students in wireless telegraphy at Karachi<sup>2</sup>, and in the courtesies shown to the Afghan Minister at Rome, the Afghan Minister in London, and thirty-four students *en route* to Europe on their journeys from Peshawar to Bombay, during which they were treated as guests of the Indian Government.

Examples of a similar attitude on the Afghan side were fewer. One of these was the surrender of some dressed stone (worth Rs. 27,000), which had been left on the Afghan side of the line at the time of the Torkham realignment by Sir H. Dobbs.<sup>3</sup>

**214. Arrival in Kabul of the British Minister.**—Mr. S. E. Pears had been originally selected for the appointment of British Minister, but for reasons noticed elsewhere<sup>4</sup>, an objection was made to him as ' persona non-grata ' by the Amir. Major F. H. Humphrys was then appointed. Abdul Hadi was chosen by the Amir as Afghan Minister in London, and although, in view of his hostile antecedents, an objection to the appointment was contemplated,<sup>5</sup> he was eventually accepted.

The staff of the British Legation<sup>6</sup> crossed the frontier on February 28, and reached Kabul on March 6. On March 13, the Minister was received by the Amir and presented his letters of credence,<sup>7</sup>

**215. The Anglo-Afghan Situation, March 1922.**—In his Final Report on his Mission to Kabul Sir H. Dobbs had indicated the Amir's hopes of territorial expansion.

'A big Moslem insurrection in Central Asia would, he hinted, produce anarchy on the Russo-Afghan frontier and incursions into Afghanistan, for the repelling of which he would be bound to make a move. If he sees such a chance and if he has been fortified by your help, he will almost certainly adopt this policy.'

Sir H. Dobbs then went on to make a forecast as to the 'immediate future of Afghan policy' and suggestions as to the lines on which His Majesty's Government should deal with it:—

'Afghanistan will keep her eyes fixed on her Indian and Central Asian frontiers, ready to move forward in one or other direction on a certitude of weakness. She may be prevented from moving towards India if we firmly persist in our present frontier policy, especially in Waziristan and the Khyber, and she will almost certainly be so prevented, if she is encouraged at the same time to expel the Bolsheviks, and given assurance of our support against their aggression. For she will then concentrate her gaze on the Russian frontier. The experiment must be a dangerous one for India, but it would be still more dangerous to repulse the advances of Afghanistan and to make her desirous of realising her ambitions towards Central Asia. For she would then look exclusively towards the Indian frontier.'<sup>8</sup>

The Government of India questioned the correctness of Sir H. Dobbs' statement of the problem and the wisdom of his suggestion that the Amir should be encouraged to seek expansion northwards. They considered that—

'Ambitious the Amir undoubtedly is, but.....he has displayed sufficient shrewdness to make it unlikely that he would fling common sense entirely to the winds in the pursuit of his ambitions..... Agreeing with Sir Henry Dobbs, as we do, that ambition is the dominant trait in the Amir's character, we feel that our obvious policy is to divert it from schemes of expansion into other channels. For this there is happily scope in the national cry for absolute independence, and the Amir's desire that Afghanistan shall establish herself in the comity of civilised nations..... If she makes overtures to other Powers for trade or political relations, and seeks to attract

<sup>1</sup>F. 46-F. 1923.

<sup>2</sup>F. 60-F. 1923.

<sup>3</sup>F. 322-F.

<sup>4</sup>Para 711. (Appx. II.).

<sup>5</sup>F. O. letter, 2-1-1922 (A. S. VII, 100).

<sup>6</sup>Lt.-Col. F. H. Humphrys, Minister, Mr. R. R. Maconachie, Counsellor, Major W. A. K. Fraser, Military Attaché, Major G. M. Millar, Surgeon Capt. E. T. R. Wickham, Secretary (joined later), and K. B. Mahbub Ali Khan, Oriental Secretary.

<sup>7</sup>Kabul despatch 3 (25-3-1922).

<sup>8</sup>F. 224-F. 1923.

other foreign representatives to Kabul, we should place no obstacles in her way, for any obstruction on our part would reach her ears sooner or later, and reinforce her suspicions that our recognition of her independence was unreal after all..... It should be our aim to provide a double safety valve for the Amir's ambitions, first in the internal development of his country, and second in attempts at expansion of his relations with foreign powers. And if the Amir broaches the subject of an exclusive Treaty, as Sir Henry warned us he is likely to do almost immediately after Major Humphrys' arrival, we think that Major Humphrys should confine himself to expressing himself ready to listen to all that he has to say, and to report it to His Majesty's Government for instructions<sup>1</sup>.

The Secretary of State was

' inclined to think that the Government of India attribute to Sir Henry Dobbs a more decided advocacy of one line of policy, and interpret that policy as one of more active encouragement of Afghan expansion than the actual terms of Sir Henry Dobbs' report would seem to indicate ..... As regards the more remote issues, Lord Peel would be inclined as far as possible to await the further development of events before formulating definite conclusions. For the purposes of the immediate future however, Lord Peel is disposed to agree entirely with the views expressed by the Government of India<sup>2</sup>.

At this point it will be convenient to consider briefly the points of weakness and strength in the British position in Afghanistan.

The weak points in this position were :—

- (1) Owing to the time lost before the negotiation of a definitive Treaty, the Russians were first in the field, both with a Treaty and a Minister at Kabul.
- (2) The Russian Treaty may be broadly said to have given Afghanistan everything, a subsidy and material assistance, and the British to have given her nothing. The two factors, on which the Government of India had relied, time, and 'money hunger'<sup>3</sup>, had thus told in favour of Russia rather than of Great Britain.
- (3) Intrigue with the tribes on the Indo-Afghan frontier was the point at which Russian, Afghan, and, at this time, Turkish interests coincided. Jemal Pasha's activities in this direction have already been noticed<sup>4</sup>. The Soviet Minister thus found Moslem agents ready to his hand for the prosecution of such intrigues.
- (4) The Afghan Government had never been made clearly to understand that their traditional policy of intrigue on the Indian Frontier would not be tolerated. Ever since the Armistice of 1919 intensive intrigue by such persons as Colonel Shah Daula, Qazi Shah Buzurg, and Haji Abdur Razzak in Waziristan, and by Nadir Khan among the Afridis and Mohmands had been passed over, if not in silence, at least without a rupture of relations. Further, provisions for the cessation of such intrigues and for the punishment of raiders had been explicitly entered in the 'Pis aller' draft, which offered a subsidy<sup>5</sup>. The actual Treaty contained no such explicit provisions, nor did it offer a subsidy; and the Afghan Government had clearly shown their determination to resist the interpretation by which the neighbourly relations, initiated by the existing Treaty, were held to include any such obligations on their part<sup>6</sup>.
- (5) The fact that Great Britain could at this time be plausibly represented as the enemy of 'the oppressed peoples', and particularly of Moslems of the East, and Russia, in spite even of events in Bokhara, as their friend, was a great asset to the Soviet Minister in Kabul.
- (6) The Amir, during the discussions of the 'Exclusive' Treaty with Sir H. Dobbs, had been enabled to appreciate the anxiety with which Russian influence in Afghanistan was regarded by His Majesty's Government<sup>7</sup>. He thus had a 'bogey' available for use in times of emergency.

<sup>1</sup>G. of I. despatch 2 (23-3-1922) (F. 224-F-2).

<sup>2</sup>I. O. letter P-1450 (18-5-1922), (*ibid.*).

<sup>3</sup>Minute by Offg. Foi. Seey. (14-7-1920), (A. S. III n. p. 31).

<sup>4</sup>Para. 107.

<sup>5</sup>Clause XIV (A. S. VI, 165).

<sup>6</sup>Para. 102.

<sup>7</sup>Para. 156.

(7) The Russian Legation was known to have large funds at its disposal for expenditure on anti-British propaganda. There was thus always the probability that, even if the Afghan Government gave orders for the cessation of any particular activity on the Indian Frontier, these could be rendered nugatory by judicious bribery of local Afghan officials.

But if the immediate advantages appeared to be all on the side of Russia, there were others, more solid and permanent in character, on the British side :—

- (1) The Russian advance, whether military or political, on India clearly presupposes for its success the prior disintegration or domination of Afghanistan ; while Great Britain, in her own interests, requires Afghanistan to be united and politically independent. British and Afghan interests are therefore ultimately identical.
- (2) Eastern and Southern Afghanistan, at any rate, are economically dependent upon India.
- (3) Afghanistan, no less than India, needed peace.
- (4) Russian policy in Central Asia was not only repugnant to the Amir as a Moslem, but fatal to his aspirations for an extension of his influence in that direction.
- (5) The opposition of Great Britain and Turkey was accidental and transitory. On the other hand, the artificial alliance between Turkey and Russia was already showing signs of strain.
- (6) The difference between British and Russian methods, particularly as regards subterranean intrigues with Afghan officials, was certain to be discovered sooner or later, and the discovery, when it came, would tell in favour of Great Britain.

This brief survey is sufficient to show that on the arrival of the Minister in Kabul, while the weaknesses of the British position were already apparent, its strength was as yet latent, and required time for its development and realisation. The policy indicated by these considerations was obviously one of 'patience, rather than pressure<sup>1</sup>', and of 'hastening slowly'.

**216. The Central Asian dream.**—At the time of the British Minister's arrival the attention of the Afghan Government was concentrated on the Russian border. During Sir H. Dobbs' negotiations the Amir had mooted the possibility of a breach with Russia over her policy in Bokhara<sup>2</sup>:

'Question of independence of Bokhara could be used as pretext for cancelling Treaty with Russia<sup>3</sup>,

and since then the spread of the rebellion in Ferghana and Bokhara, at the head of which Enver Pasha placed himself in March, gave the Amir hopes of successful intervention by Afghanistan, and thus of realising his dreams of a Central Asian Confederacy under his own leadership. There is good reason to believe that the Amir was in secret correspondence with Enver at this time. The departure of the Afghan Commander-in-Chief, Nadir Khan, with his brother Shah Mahmud for Khanabad on January 5, 1922 was significant, although it could plausibly be explained as merely a precautionary measure. About the same time Shuja-ud-Daulah was sent as Governor to Herat, and Ibrahim Khan to Mazar-i-Sharif. This concentration of the Amir's most able officers on the Russian frontier clearly showed the importance attached by the Afghan Government to the situation in Turkestan.

**217. The Amir asks for British support.**—On March 22, the Amir in a private conversation with the British Minister—

'anxiously enquired whether I was the bearer of a secret message to him from His Majesty the King..... He then asked whether Sir Henry Dobbs had given me special information on a certain secret matter..... The Amir thought for a while and asked if I knew that a Treaty providing for the exclusion of Russia from Afghanistan had been discussed..... He explained that there was a strong party in Eastern Bokhara which was already fighting for the free recognition of their country's independence. This party was unable to make headway without his assistance, owing to the presence of Russian troops in the city of Bokhara. He earnestly pressed for the public

<sup>1</sup>Kabul despatch 11 (17-8-1922) (F. 378-F. 1923 3) (q. v. for a discussion of the whole subject).

<sup>2</sup>F.-322-F. (1923).

<sup>3</sup>Tel. 306 (25-9-1921) from Br. Rep., Kabul to G. of I. (A. S. VI 354).

recognition of the independence of Bokhara and Khiva by the British Government, and pointed out that the independence of these two States had already been recognised by Russia and Afghanistan.<sup>1</sup>

In April S. Mahmud Tarzi discussed the subject with the Minister urging that a

'buffer State between Russian dominions and her northern frontier would be of inestimable benefit to Afghanistan. Enver would be enabled to clear Russians out of Bokhara if 60,000 rifles could be got to him, and people would establish a Government of their own choice. The opportunity would soon pass, and the present was the time for action.'

The Minister replied—

'that it might well follow that Bokhara would lose every shred of her independence, as the Russians would launch a strong counter offensive. Great Britain's interests and the interests of Afghanistan, as it seemed to me, lay in a peaceful solution of the problem<sup>2</sup>'.

The Government of India thought that 'our only possible policy is to steer absolutely clear of Bokhara<sup>3</sup>'.

His Majesty's Government replied to the Minister :—

'Line you took..... is approved.....Till they have stable internal Government His Majesty's Government could not in any case recognise the independence of Bokhara and Khiva, and also till they have definitely independent position *vis à vis* Russia. His Majesty's Government can only adopt attitude of strictest neutrality, pending fulfilment of these conditions<sup>4</sup>'.

Refugee Bokharans such as Usman Khwaja, Qamil Jan, and Hisamuddin were allowed to transit India, but were 'required to leave the frontier'; and warning was given them that 'if they intend to remain any time in India, no attempt must be made by them to use it as a base for anti-Russian activities or intrigue<sup>5</sup>'.

During the summer movements of Afghan troops towards the northern frontier continued to be reported, and in May Khushji Bashizade Sami Bey, an envoy from Enver Pasha, arrived in Kabul.

**218. The Afghan démenti.**—In June news was received that both the Afghan and Russian troops in the neighbourhood of Kushk had been heavily reinforced.

The Amir having failed to obtain diplomatic support to his venture from Great Britain, awaited the result of Enver's campaign without definitely committing himself, although there is evidence to show that Afghan irregulars were secretly sent across the border by Nadir Khan to assist the rebels :—

'The Bolsheviks got hold of a few letters from General Nadir Khan to Enver Pasha. It was this, and the despatch of 300 men to Enver that displeased the Bolsheviks exceedingly<sup>6</sup>'.

The Soviet Government now took action, demanding the withdrawal of Afghan troops from the frontier, the dismissal of certain Afghan officials whose conduct was hostile to Russian interests, and the issue of a proclamation by the Amir declaring his neutrality. Until these demands were satisfied, the Afghan Government were informed, the arms and munitions promised under the Russo-Afghan Treaty would not be delivered and payment of the subsidy would be suspended. The Amir gave way to the extent of publishing a *démenti*, signed by S. Muhammad Wali the Foreign Minister, in the 'Afghan' of July 29 :—

'The steps for the improvement of our forces in the North have appeared to the people as an indication of some secret or open difference between the Russian and Afghan Governments, and they are spreading and publishing rumours, so that I have been obliged to make known the policy of my Government in order to remove existing doubts. Afghanistan in no circumstances wishes to create trouble for her friendly neighbours Russia and Bokhara..... Accordingly the present disturbances in Bokhara

<sup>1</sup>Kabul despatch 4 (30-3-1922). For an enquiry by the Afghan Minister in London as to the capacity in which delegates from Bokhara and Khiva were included in the Russian delegation to the Geneva conference, see F. 154 F. 1923 (12).

<sup>2</sup>Kabul tel. 43 (22-4-1922) (A. S. VII 284).

<sup>3</sup>Tel. 527 (27-4-1922) from Viceroy to S. of S. (F. 328-M. 1923 20).

<sup>4</sup>Tel. 1784 (6-5-1922) from S. of S. (*ibid* 29).

<sup>5</sup>Tel. 1045 (17-8-1923) from G. of I. to N. W. F. (*ibid* 243).

<sup>6</sup>Statement of Saiyidd Ibadullah, letter 422 (14-3-1923) from I. B. Peshawar (*ibid* 175).

are regarded by Afghan statesmen as a kind of internal disorder, in which the Russians and Afghan Governments have no right to interfere. Afghanistan.....remains neutral<sup>1</sup>.

**219. Death of Enver Pasha ; the dream abandoned.**—On August 4, Enver Pasha was killed by a Russian ambuscade, and thereafter the rebellion, although continuing to embarrass the Soviet Government for some time to come, lost cohesion. The Amir however still cherished hopes of turning the situation to his own advantage, and on August 26, left for the north, nominally on a shooting trip, but in reality, it seems, to consult Nadir Khan and Ibrahim Khan<sup>2</sup>. Apparently convinced that the rebellion was doomed to failure<sup>3</sup>, he returned to Kabul on November 7, and was followed on November 28, by Nadir Khan.

So ended the Bokharan adventure.

**220. Anglo-Afghan relations from December 4, 1921 to November 28, 1922.**

(A) **On the Frontier.**—During the preoccupation of the Amir with Bokharan affairs and the absence of Nadir Khan in the north, there was little reason to complain of the Afghan attitude on the Indian frontier, and although there had been some incidents<sup>4</sup>, such intrigue as went on was reported as being the work of individual officials rather than inspired from Kabul.

Shah Mahmud had left Khost in November 1921 for the north. Mulla Bashir went to Kabul from Gardez in December, Qazi Shah Buzurg followed in February 1922, and Haji Abdur Razzak in April. Brigadier Adam Khan was at Urgun, but mainly occupied with an irrigation scheme for Birmal.

**221. The Amir's proclamation to the Tribes.**—In March 1922 a proclamation addressed by the Amir to the Frontier tribes appeared in the Khyber and Tochi. It gave a laboured explanation of his policy in making peace with the British Government without securing any guarantee for the Tribes, who had been his main support in the recent war<sup>5</sup>.

The Minister, remarking that 'since the only feeling which in my opinion it is calculated to produce in the minds of the tribesmen is one of disgust and disillusionment, it is more likely to achieve success as a contribution to peace, than as an apologia for broken faith', proposed to make no 'specific remonstrance'<sup>6</sup>.

The report that the Haji of Turangzai had, on March 9, publicly burnt a copy of this proclamation, tended to confirm the correctness of this view, and the Minister's proposal was approved<sup>7</sup>.

**222. The Khyber Railway and Waziristan.**—On May 17, S. Mahmud Tarzi enquired from the Minister the reason for the construction of the Khyber Railway adding that it was causing 'grave anxiety to the Afghan General Staff'.

'I deliberately refrained', the Minister said, 'from giving slightest hint that railway was intended to support even Afghan defensive action against Russia, but my impression is that Tarzi was trying to induce me to say railway was means of aiding Afghanistan against Russia '<sup>8</sup>.

At the same time the Afghan Minister in London raised the question in a letter to Lord Curzon :—

'I am most anxiously waiting to understand why should the British Government undertake the construction of railway in Khyber regions and strengthen the military strongholds, especially in view of the fact that our relations aim at the peaceful and amiable mutual understandings'.

The same letter contained a representation against British policy in Waziristan<sup>9</sup>.

**223. The recall of Haji Abdur Razzak.**—On a complaint received from the Government of India the Minister protested to the Amir against the hostile intrigues of Haji Abdur Razzak in Waziristan :—

<sup>1</sup>Kabul despatch 11 (17-8-1922).

<sup>2</sup>Kabul despatch 2 (6-1-1923) Enclo. 2.

<sup>3</sup>For a highly coloured account of the events leading up to the rebellion see the *ex-Amir's* petition, Kabul despatch 5 (20-1-1923).

<sup>4</sup>Paras. 206, 207.

<sup>5</sup>Memo. 490 P. C. (24-3-1922) from N. W. F. to G. I. (A. S. VII, 247).

<sup>6</sup>Kabul despatch 2 (25-3-1922) (*ibid.* 250).

<sup>7</sup>F. O. despatch 14 (12-5-1922) (*ibid.* 400).

<sup>8</sup>Kabul tel. 22 (18-5-1922) (*ibid.* 344).

<sup>9</sup>Letter from Af. Min., London, to S. of S. F. A. 10 (22-5-1922) (*ibid.* 426).

' At a private interview on April 3, the Amir stigmatised Abdur Razak as outlaw, and disclaimed all responsibility for his misdeeds. He hinted that encouragement and supplies, if he received any, must come from the Bolsheviks. He promised however to prevent persons resident in Afghanistan from carrying on anti-British intrigue<sup>1</sup>.

Haji Abdur Razzaq was recalled to Kabul on April 16<sup>2</sup>.

**224. The Shahjui Wazirs.**—Promises were also given to restrain the Shahjui Wazirs from committing offences on the British side of the Durand Line<sup>3</sup>, and British intelligence reports showed that steps to this end, and for the recovery of the rifles captured by the Wazirs at Barshor, were actually being taken.

**225. The Afghan attitude generally correct.**—On the whole the attitude of the Afghan Government during this phase left little to be desired. There was the usual intrigue from the Fanatic colonies, and in October the Chamarkand settlement produced a paper 'Al-mujahid', which was to become notorious for its rabid denunciations of all things British, but there were indications that the motive force behind these activities was Bolshevik rather than Afghan. There were also, as has been mentioned, incidents on the Frontier notably the attack on Wana on April 4, 1922 and that on the Kurrum Militia on October 7, but no signs of systematic intrigue organised from Kabul.

At the close of this phase (November 28, 1922) the only cases in which satisfaction was awaited from the Afghan Government were the Barshor<sup>4</sup>, Spinchilla<sup>5</sup>, and Kurram<sup>6</sup> raids.

**226. (B) In Afghanistan. Expulsion of the British Newswriter, Herat.**—In May Muhammad Aslam Khan, the British newswriter at Herat, was ordered by the Governor Shuja-ud-Daulah to leave within forty-eight hours.

The appointment had existed since 1882, and had been officially recognised in a Kharita from the Amir Habibullah Khan in 1906. It was not mentioned in the Treaty of 1921, and the anomalous position of Muhammad Aslam Khan subsequently to the Treaty appears to have been overlooked by the Government of India :—

' It is true we should have been bound to abolish the appointment, had the Afghan Government asked us to do so, since provision is not made in the Treaty for its continuance. But the Government of India take the strongest exception to the procedure which the Afghan Government have adopted to secure an end, which, without giving offence, they could as easily have obtained. They have exposed an old servant of the British Government to what must everywhere be construed as a public humiliation, and have ignored the British Minister at Kabul<sup>7</sup>.'

In reply to a protest on the subject by the Minister S. Mrhammad Wali asked that the apologies of the Afghan Government should be conveyed to His Majesty's Government

' for the manner in which Muhammad Aslam Khan had been removed from Herat ..... Breach of diplomatic etiquette was due to inexperience of Wazir-i-Amniah, and it was very much regretted '<sup>8</sup>

**227. Expulsion of the Indian Revolutionaries.**—In October 1922 many of the leading Indian revolutionaries were expelled from Kabul, one party under Obeidulla going to Tashkent, and the other under Qazi Abdul Wali, which was less under Bolshevik influence, to Angora. The official reason given for their departure was that—

' The Afghan Government had become aware that they were being financed by the Russians, and being suspicious of the nature of the services for which these payments were made, had decided that their continued presence in Kabul was undesirable<sup>9</sup>'.

M. Raskolnikov, the Russian Minister, gave a dinner in their honour on the eve of their departure.

**228. Arab visitors.**—A party of Arabs, under the leadership of one Sheikh Ismail-es-Senussi, who called himself the nephew of the Grand Senussi, arrived in Kabul in August 1922. They made no secret of being violently anti-British but received little sympathy, and left in December.

<sup>1</sup>Kabul tel. 31 (10-4-1922) (W. S. III 72).

<sup>2</sup>Tel. 521 (26-4-1922), from G. of I., to Min., Kabul (*ibid* 129).

<sup>3</sup>Kabul tel. 41 (19-4-1922) (*ibid* 111).

<sup>4</sup>Para. 188.

<sup>5</sup>Para. 211.

<sup>6</sup>Para. 206.

<sup>7</sup>Tel. 616 (15-5-1922), from Viceroy to S. of S. (A. S. VII 330).

<sup>8</sup>Kabul tel. 54 (7-7-1922), (*ibid* 506).

<sup>9</sup>Diary of M. A., Kabul 1922. 33 (1).

**229. The second phase.**—November 28, 1922—March 31, 1924.

The second phase opens with the return of Nadir Khan from the north marking the abandonment, for the time being, at any rate, of the Central Asian dream.

The Amir as Sir H. Dobbs had foretold, now turned his attention to the Indian frontier. Apart from all ideas of territorial expansion, his policy has always been not to commit himself definitely to either Russia or Great Britain. During the Bokharan crisis British influence had been in the ascendant ; and it was now time to level matters up. It is also highly probable that Nadir Khan, whose belief in the tribes of the Indian frontier as Afghanistan's first line of defence was well known, had urged the Amir that, in order to maintain his influence over them, he must make some gesture in their direction, and check the steady consolidation of British control over Waziristan. This advice must certainly have received ready support from the Russian and Turkish Legations.

**230. The Amir visits Jalalabad.**—The Amir's visit to Jalalabad, which he reached on December 31, may have been dictated by the motives mentioned above, or may have been, as with previous Amirs, primarily due to a desire to escape the rigours of the Kabul winter. In any case it brought him into close touch with the Frontier tribes, and unfortunately coincided with some special features in the Waziristan operations.

**231. British air operations in Waziristan.**—The advance to Razmak was made in January, and during the latter half of December bombing from the air had been employed against the Mahsuds on a scale unprecedented in Frontier warfare :—

'Air operations on a large scale previously unknown on the frontier have been in progress since December 17<sup>1</sup>.'

**232. Afghan Protests.**—On January 31, the Minister received an official protest on the subject from S. Mahmud Tarzi.

'The Afghan Government consider that Article XI of the Treaty, and Dobbs' letter of November 22, 1921 (letter No. IV attached to Treaty) have been violated by the recent bombardment of Waziristan by artillery and aeroplanes. The Afghan Government should under Article XI have received information beforehand of intended military operations and Dobbs' letter admitted officially Afghanistan's interests in the frontier tribes, and gave assurances that they would be generously treated. The operations are viewed by the Afghan Government with displeasure and pain.....I visited the Afghan Foreign Minister on the following day. He complained bitterly of the aerial bombardment and stated that over a thousand Mahsud families had thereby been compelled to flee to Afghanistan.....I had a two hours' interview on February 2nd with the Amir at Laghman. He was very excited, and drew my attention to the accounts of the terrible havoc wrought by howitzers and bombs in Waziristan, which had been published in Anglo-Indian newspapers.....he complained that his loyal attitude in discouraging the appeals of the Mahsuds for assistance had been taken advantage of to deal with out his knowledge crushing blows to the tribe. As a result he had been placed in a very awkward dilemma, owing to the fact that the inhabitants of the devastated area had sought refuge in Afghanistan. At the moment he was being besieged by Wazirs and Mahsuds asking for arms and ammunition, which he had promised me not to grant, or in the alternative to give them land in Afghanistan, which he did not wish to do.....The Wazir and Mahsud jirga was sitting outside and he invited me to address them.....The Amir insisted that widespread excitement had been caused in Afghanistan by the recent intensive bombardment, and that it might result in a conflagration which it would be difficult to extinguish.....The Turkish and Russian Legations are exploiting Afghan agitation to its utmost.....The Amir seems mainly concerned with the problem of the Mahsud refugees. He is sending an official to the frontier to make enquiries, as he fears that they may form themselves into a second Shahjui colony<sup>2</sup>'.

The Minister did not admit that there had been any breach of the terms of Article XI of the Treaty, nor did he give the Amir reason to think that his protest would carry much weight with His Majesty's Government. The official reply to it was sent on March 9<sup>3</sup>.

Two days later the Minister telegraphed :—

'The Jalalabad newspaper "Ittihad-i-Mashriqi" has published extremely violent articles denouncing military operations in Waziristan<sup>4</sup>'.

<sup>1</sup>Tel. from Viceroy to S. of S. (5-1-1923) (W. S. IV 83).

<sup>2</sup>Kabul tel. 13 (5-2-1923) (*ibid* 206).

<sup>3</sup>Letter 34 (9-3-1923) from Min., Kabul, to Af. For. Min. (*ibid* 381A).

<sup>4</sup>Kabul tel. 17 (7-2-1923) (*ibid* 207).

Simultaneously a protest was made to the Foreign Office by the Afghan Minister in London, who wrote :—

‘ We have just received an information from our Foreign Office in Kabul stating that the Indian Government has undertaken military steps of great significance in Waziristan, and has started war and terrific bombardment against the defenceless and oppressed people. I therefore in the name of the Afghan Government and the nation strongly protest against this excess for the following reasons :—

1. Such an act is against fairness and justice.
2. This uncompromising step is contrary to the assurance of goodwill referred to in the letter of 21st November 1921 annexed to the Treaty.
3. This excessiveness is plainly a violation of the Article XI of the Treaty between the two Governments.
4. This excessiveness is a direct attack on the spirit of the Afghan Nationality<sup>1</sup>. ’

In reply the Afghan Minister was informed :—

‘ The operations from the air to which you take particular exception, have been confined to bombardment of a few tribal sections whose obstinate recalcitrance, shown to the world by a series of brutal outrages on British subjects, is the sole reason why a general peace between His Majesty’s Government and the whole Mahsud tribe has been delayed.....Sir Henry Dobbs went on to say in the same letter that the British Government intended to treat the tribes generously ‘ provided they abstain from outrages against the inhabitants of India’. It is clearly in strict accord with the terms of the assurances.....that the British Government should punish tribal sections known to be guilty of outrage<sup>2</sup>. ’

At Jalalabad on February 8, a Bajauri Mullah opened a fund for relief of the Mahsuds. It was stated that the Turkish Minister was asked to act as Treasurer, but declined<sup>3</sup> to do so.

**233. The Jalalabad Jirgas.**—On February 20, the Amir arrived in Jalalabad from Laghman where he had been staying.

On February 27, the ‘ Jalalabad Jirgas ’ were held, which were attended by a large number of Afridis and Mohmands from the British side of the border. On March 2, Nadir Khan distributed allowances to them. On March 9 the Amir went by motor to Dakka, and from there to the British border at Torkham. On March 13 he returned to Kabul<sup>4</sup>.

Meanwhile on February 18 the Political Agent, Wana, had reported :—

‘ There is authentic news of the distribution of large sums of money by Brigadier Adam Khan. The distribution is not to the tribe as a whole, but to that part which is hostile to Government.’<sup>5</sup>

**234. The Afghan Government warned of possible British action under the Treaty (Art. VI and Letter I).**—On March 6 information was received from the Secretary of State that the Afghan Minister in London had asked for transit facilities through India for certain arms purchased by his Government in Italy.<sup>6</sup>

On March 19 the Government of India telegraphed to the Minister at Kabul in connection with the Jalalabad jirgas :—

‘ Although at actual jirga Amir’s attitude was circumspect, we do not know what passed at more intimate conclaves with anti-British leaders. If it is true that at this period of financial stringency Afghan Government really expended among the tribes anything like five lakhs, is not a definite assertiveness among our tribes suggested by this move and would it not be advisable for us to make countermove? If so would not a suitable opportunity be furnished by Amir’s impending request for concurrence in passage through India of large consignment of arms, to remind him of his Treaty obligations, and to ask, in view of recent events including anti-British propaganda among our northern tribes in Amir’s name, anti-British press campaign and despatch by Hakim of Khost of ammunition and money to Waziristan, of which a report has just been received, that he should furnish us with assurance of friendliness of his intentions?’<sup>7</sup>

<sup>1</sup>Letter from Af. Min. to S. of S. F. A. (5-2-1923) (F. 378-F. 13).

<sup>2</sup>Letter N. 1693[22]97 (27-2-1923), from S. of S. F. A. to Af. Min. (*ibid* 15).

<sup>3</sup>Diary M. A. Kabul 1923. 16 (3).

<sup>4</sup>Para. 205.

<sup>5</sup>Memo. 311 (18-2-1923), from P. A. Wana, to Res., Wazn. (W. S. IV 294).

<sup>6</sup>Tel. 11 (5-3-1923), from S. of S. F. A., to Min., Kabul (F. 147 F. 1922, 48).

<sup>7</sup>Tel. 310 (19-3-1923), from G. of I., to Min., Kabul (W. S. IV 301).

The Minister accordingly addressed a letter to S. Mahmud Tarzi on March 24 citing the instances quoted in the telegram from the Government of India and continuing :—

'The occurrence of such incidents has created a painful impression in the mind of my Government that the Afghan Government is interfering in matters beyond its own dominions . . . . there is a possibility that in the light of such incidents my Government may consider that the intentions of the Government of Afghanistan are no longer friendly—nay more (which God forbid !) that that Government has determined<sup>1</sup> on a provocative policy<sup>2</sup> towards my country<sup>3</sup>.

**235. Afghan intrigues in Waziristan.**—On March 29 the Waziristan Force Commander reported :—

'As regards tribal situation disturbing features are :—

- (a) Half a lakh has been paid by Brigadier Adam Khan to Haji's levies and to other hostiles since mid February. The Wana Wazir Jirgas also have received over twenty thousand.
- (b) Word is now being sent by Adam Khan to friendlies in Wana, that Wana is shortly being evacuated by British, and that it will be handed over to Amir.
- (c) Report indicates that under his orders lashkar is forming at Birmal for attack on Wana.
- (d) Mahsuds and Wazirs are being promised further large rewards, and he says that large numbers of our tribesmen will be engaged by Amir as his Khassadars.
- (e) Last month Russian cartridges and money were sent from Kabul, and appear to be materialising in Waziristan.
- (f) As reported by me, there is influx of letters from Kabul regarding big jirga to be held about May 3rd in Urghun. They include promises of employ of thousands of Mahsuds, and promises of large money rewards. As result, Wana is unsettled, and Mahsuds are wondering whether their promises made at Tauda China should be stuck to, or whether they should see whether reports are true or false before fulfilling them.<sup>4</sup>

**236. The 'Maraka da Pakhtu'.**—A notification over the seal of the Amir was published in the "Ittihad-i-Mashriqi" of February 10, 1923, announcing the formation of a 'Maraka da Pakhtu'. This association which was at first regarded in India as a representative body of the Pathan tribes constituted for the furtherance of Afghan intrigue, proved on enquiry to be merely a Pashtu 'circle' connected with the project, formed by the Amir about this time, for making Pashtu the official language of Afghanistan<sup>5</sup>. The idea seems to have been abandoned, and the 'Maraka', if it ever met, was of no practical importance.

**237. The bombing of the Tazi Khel.**—On March 29 air operations against the Tazi Khel who had been guilty of a series of grave offences, and were now concentrated in the vicinity of Dardon, was sanctioned by the Government of India.

A proposal to this effect had been made as early as February 24 by the Resident in Waziristan, and supported by the Chief Commissioner, but the Government of India had on that occasion refused to sanction it, for reasons noted by the Foreign Secretary :—

'I think bombing operations against the Tazi Khels would be a mistake :—

- (1) Goreshta Valley runs parallel to the Durand Line at a mean distance of about 4 miles. This is dangerously near the Afghan frontier and the Amir's attitude is still perturbing the Minister.<sup>6</sup>

On March 25 the Chief Commissioner renewed his recommendation at the instance of the Political Agent, Tochi, who remarked :—

'There is no possibility of aeroplanes trespassing on Afghan territory, and I strongly repeat my request for bombing.'<sup>7</sup>

<sup>1</sup>The same terms in Persian were used as in the official text of the Anglo-Afghan Treaty Article VI and letter No. 1.

<sup>2</sup>Letter 54 (24-3-1923), from Min., Kabul, to Af. For. Min. (W. S. IV 381).

<sup>3</sup>Tel. P., 7827-18-G. (16-3-1923), from Wazforce, to G. of I. (*ibid* 332).

<sup>4</sup>Kabul d. o. letter 375 (8-12-1923) (F. 412 1 F.[23]).

<sup>5</sup>Minute by For. Secy. (27-2-1923) (W. S. IV, p. 62).

<sup>6</sup>Tel. 254 (25-3-1923), from N.-W. F., to G. of I. (*ibid* 316).

This the Government of India repeated to the Minister adding :—

'Please reply clear the line whether you still press that air operations against Tazi Khel should be avoided. It seems that they are getting completely out of hand.'<sup>1</sup>

The Minister replied :—

'I make no objection to air operations, provided Afghan territory is carefully avoided.'<sup>2</sup>

The bombing was carried out on April 2, and on April 7 the Minister was informed by Nadir Khan that a report had been received of a violation of the Afghan frontier during the operations and of casualties being caused to Afghan subjects.

'Amir immediately summoned Council of Ministers at which it was decided to take no official action pending confirmation of the report.'<sup>3</sup>

It will be convenient here to trace the history of this case to its conclusion.

The Political Agent's report on this operation was :—

'It is estimated that ..... about 20 people were killed and 30 wounded, while some 1,600 sheeps and goats, 30 cattle, and 50 camels were killed or seriously injured. Considerable damage was done to the tents and household goods..... One or two bombs also fell on a friendly Saidgi village of seven families, killing two women and wounding two.'<sup>4</sup>

These results, described as 'very fine', included, as it subsequently transpired, seven casualties caused in Afghan territory.<sup>5</sup>

For a proper understanding of the effect produced on the Afghan Government by the news of this affair, it must be borne in mind that previous bombing operations in Waziristan had already been made the subject of official protests on their part both in Kabul and London, and had made the Amir 'very excited.'<sup>6</sup> These protests, so far from producing any result, had now been followed by a violation of Afghan territory and casualties inflicted on Afghan subjects. In these circumstances the suspension of conversations intimated in the Afghan Foreign Minister's letter of April 18, although unjustified, becomes intelligible.<sup>7</sup>

The British Minister insisted that careful investigations should be made, and as a result a joint enquiry was held by the Political Agent, Tochi, and the Governor of Khost on May 10. On June 28 the British Minister and S. Muhammad Wali signed an agreement for the payment of Rs. 17,000 Kabuli as compensation for the damage caused to life and property whether in Afghan territory, or of Afghan subjects on the Indian side of the line.<sup>8</sup>

This prompt and generous settlement was of the greatest political value, since it convinced the Amir that His Majesty's Government were as ready to acknowledge claims as they were to make them, and rendered him more amenable to British demands in converse circumstances. During its pendency however, the case had gravely embarrassed the Minister's position.

**238. The change in the Afghan attitude discussed.—Telegraphing on April 3, in regard to the significance of the Jalalabad jirgas the Minister said :—**

'I consider that Amir in summoning jirga had two objects :—

- (1) Merely in accordance with traditional policy of Afghan Amirs, who have always regarded tribes in independent belt as chief bulwark against domination of Great Britain, to establish personal touch with tribesmen. Amanullah would regard meeting as essential to explain away his apparent indifference to their interests since 1919.
- (2) By demonstrating his influence on North-West Frontier of India, to impress His Majesty's Government with the value of Afghan friendship ..... Pressure is now directed against India and Great Britain, as it was last year against Russia. This attitude has I believe been mainly inspired by Nadir Khan, and it is largely bluff. That bluff we must call'.<sup>9</sup>

<sup>1</sup>Tel. 340 (26-3-1923), from G. of I., to Min., Kabul (W. S. IV. 317).

<sup>2</sup>Tel. 92 (28-3-1923), from Min., Kabul, to G. of I. (*ibid*, 327).

<sup>3</sup>Tel. 104 (8-4-1923), from Min., Kabul, to G. of I. (*ibid*, 369).

<sup>4</sup>Tochi Political Diary 13 (7-4-1923), para. 50.

<sup>5</sup>Memo. 232 (30-6-1923), from Min., Kabul, to G. of I. (F. 412, 1923, 32).

<sup>6</sup>Para. 232.

<sup>7</sup>Para. 241.

<sup>8</sup>Memo. 232 (30-6-1923), from Min., Kabul, to G. of I. (F. 412, 1923, 32).

<sup>9</sup>Kabul tel. 35 (3-4-1923), [F. 412 (1) 29B].

The Government of India's comments were :—

' We agree generally with Minister but consider there is also included..... desire (1) to lull Russians into delivery of arms and other outstandings of Treaty (2) to vent his spleen over Waziristan air operations and (3) to play up to agitation thereby engendered of anti-British party thus keeping control over that party.<sup>1</sup>'

In a despatch of April 6 the Minister gave his views as to

' the attitude recently adopted by the Afghan Government, towards the British policy on the North-West Frontier of India. Evidence of this attitude is afforded by the virulent anti-British articles recently published by the " Ittihad-i-Mashriqi ", the convocation by the Amir of tribesmen from the British side of the Durand Line to jirgas at Jalalabad, the official protest made by the Afghan Government against the character of British operations in Waziristan, the supply of money and ammunition which is reported on good authority to have reached the Mahsuds from the Soviet Legation at Jalalabad, and the distribution by Brigadier Adam Khan of rewards to hostile sections in the Wana area. Of these the press campaign does not appear to be in itself of any particular importance. The invitation of tribesmen from beyond the Afghan border to meet the Amir is in accordance with precedent ; although on this occasion it appears that tribesmen living further within the British sphere of control than ever before have been allowed to accept it. .... The official protest lodged by the Afghan Government has already engaged the attention of His Majesty's Government.....'

The Foreign Minister has given me an emphatic assurance that no assistance has been given to the Mahsuds or Wazirs—an assurance which may at any rate be taken to indicate that the Afghan Government are not yet prepared to give such assistance openly. The fact that many of the Wana Wazirs spend part of the year in Afghan territory affords a plausible excuse for the generosity of Brigadier Adam Khan.

These incidents, though perhaps not of great moment, if considered separately, afford in the aggregate a clear indication of a renewal on the part of the Afghan Government of their inveterate tendency to interfere in tribal politics beyond their own border..... At the present juncture in Waziristan, where the influence of Afghan intrigue may undo the work of months, and postpone indefinitely a settlement with the Mahsuds, it seems to me essential that the Amir should be made to realise that active interference on his part in the affairs of the tribes on the British side of the Durand line cannot be tolerated by His Majesty's Government.<sup>2</sup>

**239. The Landi Kotal murders.**—On April 8 at 6-30 P.M. Major F. Anderson and Major N. C. Orr of the 2nd Seaforth Highlanders were shot ' on the Mullagori road about four miles from Landi Kotal, at Haidari Kandao while out walking.'<sup>3</sup> Two days later the Chief Commissioner reported :—

' People arriving by caravan confirm report that murders were committed by two Sangu Khel Shinwaris related to Nur Rahman, Sangu Khel, as an act of revenge for execution in Peshawar in 1909 of their relations, who were members of Multan gang.'<sup>4</sup>

On April 10 the Government of India telegraphed to the Minister :—

' There can be little doubt that affair has its origin in Afghan Ningrahar or Afghan Mohmand territory. There are grounds for suspecting offence was committed by Afghan Sangu Khel Shinwaris'.<sup>5</sup>

The following day they asked the Minister to take up the matter strongly with the Afghan Government, demanding condign punishment of the criminals, and pointing out the danger which would be involved, in a demand for extradition, of reciprocal demands in future being made by the Afghan Government.<sup>6</sup>

On April 17th the Minister replied :—

' In view of vicinity to scene of murder of Shilmani country, I ask that, before identification as Afghan subjects is definitely accepted, further careful investigations be made. I have informed Wali of occurrence with details as reported, and have asked for co-operation of Afghan Government in discovery and punishment of criminals.'<sup>7</sup>

The Minister had ample reason for his scepticism in regard to the accuracy of Frontier intelligence at this time,<sup>8</sup> although in this instance the report as to the identity of the Landi Kotal murderers proved to be accurate.

<sup>1</sup>Tel. 24-C. (10-4-1923), from Vicerey, to S. of S. [F. 412 (1) 39B].

<sup>2</sup>Kabul despatch 11 (6-4-1923) (W. S. IV 381-A.).

<sup>3</sup>Tel. 51 (8-4-1923), from N.-W. F. (F. 517 F. 1).

<sup>4</sup>Tel. 411 (10-4-1923), (*ibid* 4).

<sup>5</sup>Tel. 427 (10-4-1923), from G. of I., Min., Kabul (*ibid* 5).

<sup>6</sup>Tel. 434 (11-4-1923), from G. of I., to Min., Kabul (*ibid* 7).

<sup>7</sup>Tel. 116 (17-4-1923), from Min., Kabul, to G. of I. (*ibid* 37).

<sup>8</sup>Para. 726.

**240. The Kohat outrage.**—Meanwhile, on April 14, an even more sensational tragedy had occurred at Kohat, where Mrs. Ellis, the wife of Major Ellis of the Border Regiment, was brutally murdered and her daughter, aged about 18, carried off by a gang consisting of Ajab Khan, and his brother Shahzada, Bosti Khel Afridis, Sultan Mir and his son Gul Akbar, Tirah Jowakis, and Haidar Shah, a Punjabi outlaw. This outrage was the direct outcome of a raid which had been made by the Frontier Constabulary and troops on Ajab Khan's house on March 5, and of the pressure which had been brought to bear on the Tirah Jowakis for settlement of the Foulkes' case. The raid of March 5 had established the complicity of Ajab in this case.

' Chief motive for crime is that Afridis have recently agreed to force the Tirah Jowakis to settle their share of Foulkes' case. Certain rifles had already been recovered and tomorrow 16th had been fixed for the payment in Peshawar of fine of Rs. 12,000. This settlement would have put the culprits beyond the pale, and they aimed at stopping settlement by commission of flagrant crime.'<sup>1</sup>

This telegram was not repeated to the Minister at Kabul, although the next one from the Chief Commissioner was. This referred to the Amir's action at the Jalalabad jirgas in February, and ran :—

' It is indicated by reports received that Mirzali received largest reward of any, except Said Anwar and Mullah Said Akbar, and was one of those selected to remain after bulk of tribesmen had been dismissed. It is believed that his reward was about thousand rupees Kabuli. I certainly connect recent tragedies in the Kohat and Khyber with prominence given, and favour shown to Mirzali and other notorious hostiles. It may be presumed that other motives exist;<sup>2</sup> but from the tribal elders on this frontier I have got a firm impression that direct encouragement to such crimes has been given by the public display of these favours. The tribal view of the matter is emphatically this. When announcement of Kohat tragedy was made to Afridi jirga, they said at once that Miss Ellis would be taken into Afghanistan. The comment has significance, though it may not be true.'<sup>3</sup>

This coupling of the Landi Kotal and Kohat tragedies, as being connected with the Amir's action at the Jalalabad jirgas, was not accepted in its entirety by the Government of India :—

' It is too early for us to say whether Amir's Jalalabad vapourings or activities have any direct connection with Kohat and Landi Kotal tragedies.'<sup>4</sup>

The Chief Commissioner's view on this point however, backed by flamboyant articles in the British and Anglo-Indian press, soon held the field.

On April 18 the Secretary of State telegraphed :—

' Very unpleasant impression is made on His Majesty's Government by fact of outrages at Kohat and Landi Kotal following so closely on Jalalabad jirga, anti-British articles in Afghan press, etc.'<sup>5</sup>

Meanwhile the murderers of Mrs. Ellis had made their way with Miss Ellis to Khanki Bazar. K. B. Kuli Khan left for that place with a jirga from the Kurram on April 19, followed by K. B. Risaldar Moghal Baz Khan with Mrs. Starr from Peshawar on the 20th.

The release of Miss Ellis was effected by negotiations with Ajab through Mullah Mahmud Akhunzada, and on April 24 she reached the British border uninjured, with Mrs. Starr.

**241. British representations in Kabul.**—Meanwhile the situation in Kabul had been complicated by the receipt, on April 18, of an official protest from the Afghan Government regarding the violation of their frontier by the bombing of the Tazi Khel on April 2.<sup>6</sup>

The letter actually suspended diplomatic conversations on all other subjects, but was withdrawn in response to a demand to that effect by the Minister. Telegraphic communication with India was interrupted for several days at this juncture, and the Amir retired to a villa outside Kabul for Ramzan.

The Minister had however discussed the question of Afghan intrigues with the Amir, Foreign Minister, and Commander-in-Chief, and had received assurances that the editor of the "Ittihad-i-Mashriqi" would be removed, Lala Pir

<sup>1</sup>Tel. 154 (15-4-1923), from N. W. F., to G. of I. (F. 517 F. 24).

<sup>2</sup>(Note.) including, in the Kohat case, the 'chief' one (*vide* last telegram quoted).

<sup>3</sup>Tel. 340 (16-4-1923), from N. W. F., to G. of I. (F. 517 F. 26).

<sup>4</sup>Tel. 473 (17-4-1923), from G. of I., to S. of S. (*ibid* 28).

<sup>5</sup>Tel. 1452 (18-4-1923), from S. of S., to Viceroy (*ibid* 41).

<sup>6</sup>Para. 237.

suppressed, and Brigadier Adam Khan recalled. He had also represented the gravity of the Landi Kotal tragedy to the Foreign Minister on April 18 in continuation of a letter of April 15, and had been informed that the necessary orders had been issued on the subject to the Governor, Jalalabad.<sup>1</sup>

On April 25 the Minister telegraphed :—

' Until clear evidence of motives for Kohat raid is available, I would ask for suspension of orders that I should make general representation connecting both Kohat and Landi Kotal tragedies with official Afghan attitude at Jalalabad.'<sup>2</sup>

The Secretary of State replied :—

' I realise difficulties in which bombing episode and interruption of telegraphic communication have placed you. .... What we are now concerned about, and will not tolerate, is murder on any pretext whatever of British women and officers, and it is more than probable that it is repercussion of border unrest for which Afghans cannot altogether disclaim responsibility, even if there be purely local explanation of Kohat murder. Thus motive of Kohat raid is irrelevant. Our representations must be robbed of half their force by the delay both in this and Landi Kotal case, which I greatly regret.'<sup>3</sup>

Meanwhile on April 26 the Minister, satisfied that the identity of the Landi Kotal murderers was now established beyond doubt, sent a formal demand for the immediate arrest and punishment of the Landi Kotal murderers,<sup>4</sup> and at an interview with the Amir on April 30 secured assurances of satisfaction.

' Value of these assurances remains to be proved, but I left Amir in no doubt as to insistence of His Majesty's Government on obtaining prompt redress, and as to gravity of situation.'<sup>5</sup>

**242. The Kohat gang enter Afghan territory.**—On May 14 the Chief Commissioner reported the proceedings at the jirga of Afridis and Orakzais held at Shinawri and the flight of the Kohat gang with their families to Afghan Ningrahar.<sup>6</sup> It will be noticed that so far from making voluntarily for Afghanistan, the gang had remained for over four weeks after the murder of Mrs. Ellis on the Indian side of the line, and had only left it under compulsion.

On May 16 the Afghan Foreign Minister undertook to issue orders for the immediate arrest of the gang if they entered Afghan territory; and on May 22 the British Minister wrote to him reminding him of this promise :—

' When these murderers are arrested it would be much the best course for the Afghan Government to hand them over for trial to the British authorities..... If the Afghan Government are unwilling to follow this course I present a demand to Your Excellency that the murderers should be expelled back to Afridi country, from which they have fled. The Afridi and Orakzai tribes have undertaken responsibility for controlling them in future. In this case I request that I may kindly be informed of the time and place where they will be put across the Afridi border.'<sup>7</sup>

On the same date the urgency of the arrest of the Landi Kotal murderers was again represented by the British Minister.

**243. The British Minister's proposals.**—On May 30, the Minister reported that both the Amir and the Foreign Minister had avoided seeing him, and concluded :—

' Utmost possible pressure will continue to be maintained by me, but if the desired effect is not produced very shortly, I request that, after amount of compensation payable in Tochi bombing case is settled, I may be given discretion to suspend official business with the Afghan Government, except in regard to His Majesty's Government's demands in connection with (1) Spinchilla and Barshop outrages, (2) Kohat and Landi Kotal murders, (3) Afghan press and (4) Afghan intrigues in Waziristan. Should these measures fail to produce required effect, I would submit more drastic proposals, such as temporary withdrawal from Kabul of British Minister until complete satisfaction had been accorded in regard to (2), (3) and (4) of last sentence, at any rate.'<sup>8</sup>

<sup>1</sup>Kabul tel. 45 (21-4-1923), (F.-517, F.-61-A.).

<sup>2</sup>Kabul tel. 48 (25-4-1923), (*ibid* 77).

<sup>3</sup>Tel. 19 (27-4-1923), from S. of S., F. A., to Min., Kabul (*ibid* 85-A.).

<sup>4</sup>Kabul tel. 50 (26-4-1923), (*ibid* 88-A.).

<sup>5</sup>Kabul tel. 52 (1-5-1923), (*ibid* 94-A.).

<sup>6</sup>Tel. 1340 (14-5-1923), (*ibid* 112).

<sup>7</sup>Para. 240.

<sup>8</sup>Letter 157 (22-5-1923), from Min., Kabul, to Af. For. Min. (F.-517, F.-142-A.).

<sup>9</sup>Kabul tel. 69 (30-5-1925) (*ibid* 166).

The Government of India commenting on this remarked :—

‘ We are prepared to recommend that discretion asked for by Minister should be given, but clearly it should only be used in very last resort after all other measures have been exhausted. Unless he has already done so, we advise that Afghan Government should be informed by Minister definitely in writing that, until our demands have been satisfied, we shall not grant any facilities, concessions or assistance whatsoever beyond Treaty, or allow transit of munitions.’<sup>1</sup>

**244. The distinction between the Landi Kotal and Kohat murders.**—They also drew a valuable distinction between the Landi Kotal and Kohat cases which, as has been seen, there had been a tendency to lump together :—

‘ The Landi Kotal and Kohat cases require careful differentiation. As regards Landi Kotal, our case is absolute and nothing could satisfy us but drastic action against murderers. In Kohat case, as murderers are British subjects, their effective removal from frontier, which in heinous circumstances should be to some remote region like Turkestan, is utmost we can insist upon, though of course we should like more.’<sup>2</sup>

**245. Difficulties as to the whereabouts of the Kohat gang.**—At this time both the Landi Kotal and the Kohat murderers were stated to be in the neighbourhood of Nazian some six miles on the Afghan side of the Durand line.<sup>3</sup>

The Afghan Government however maintained that the Kohat gang was on the Indian side of the line ‘ at Tordarra in the country of Rajgal Kuki Khel Afridis.’<sup>4</sup>

The conflict on this point between Afghan and British reports, none of which it was possible to disprove or prove beyond question, formed one of the main difficulties in the disposal of the gang. It appears in fact to have remained close to the Durand line, but on which side of it at any particular time it was impossible to say. That its male members could move about in British territory without immediate detection was proved by their subsequent descent on Parachinar,<sup>5</sup> and frontier intelligence reports speak of ‘ surreptitious visits to Tirah.’

‘ Present dangerous state of affairs in regard to Kohat gang naturally leads to series of conflicting reports and warnings. While Kohat reported presence of gang in Orakzai country, Peshawar reported their arrival to shelter with Muhasil in Koda Khel Mohmand country.’<sup>6</sup>

This view was that taken by His Majesty’s Government, as the Under Secretary of State for Foreign Affairs stated in answer to a question in the House on July 5, 1923 :—

‘ According to the latest information the Kohat murderers have not yet been arrested, and as they appear to be moving in and out of Afghan country there may be some difficulty in locating them.’

In regard to the Kohat murderers, the situation remained stationary throughout the summer, with demands by the British Minister for their arrest, and protestations by the Afghan Government that they were on the Indian side of the line.

**246. Arrest of the Landi Kotal murderers.**—On June 9, the Minister was informed that Ardali and Daud Shah, the Landi Kotal murderers, had been arrested.

The editor of the ‘ Ittihad-i-Mashriqi ’ had also been dismissed.

**247. Importation of arms by the Afghan Government.**—On June 20, the Afghan Government made an official application for the transit through India of certain arms purchased by them from Italy,<sup>7</sup> and on July 14 a similar request in respect of arms purchased from the French Government.<sup>8</sup>

In his letter of March 24, the Minister had given a clear hint that His Majesty’s Government might regard the attitude of the Afghan Government as unfriendly and provocative, and consequently refuse, under letter I attached to the Treaty, to allow the importation of arms into Afghanistan from India.

<sup>1</sup>Tel. 738 (3-6-1923), from G. of I., to S. of S. (F.-517. F.-167).

<sup>2</sup>Ibid.

<sup>3</sup>Tel. 109 (7-6-1923), from N.-W. F., to G. of I. (*ibid* 186).

<sup>4</sup>Kabul tel. 87 (13-6-1923) (*ibid* 225-A.).

<sup>5</sup>Para. 251.

<sup>6</sup>Tel. 175 (17-6-1923), from N.-W. F., to G. of I. (F.-517, F.-227).

<sup>7</sup>Letter 1218 (20-6-1923), from Af. For. Min., to Min., Kabul (A. S. VII-24).

<sup>8</sup>Kabul tel. 110 (14-7-1923) (A. S. VIII-78).

This hint had been repeated at subsequent interviews between the British Minister and the Afghan Foreign Minister.

The former in accordance with instructions from His Majesty's Government—

'Informally advised the Foreign Minister not to press these applications, until His Majesty's Government have been satisfied by definite fulfilment on the part of the Afghan Government of the assurances given.'<sup>1</sup>

**248. The situation at the beginning of August 1923.**—The situation at the beginning of August was :

(1) The Landi Kotal murderers were in 'lock up' awaiting trial, and arrangements had been made for the attendance of witnesses from India and British counsel.

(2) The Kohat gang, so far as could be gathered from conflicting information, had taken refuge a few miles within the Afghan border; and the Afghan Government had offered to deport them on arrest to Turkestan.

(3) As regards Waziristan, Adam Khan had been recalled by the Afghan Government, and the Minister awaited conclusive evidence of the continuance of Afghan intrigues in this area.<sup>2</sup>

An article in the "Ittihad-i-Mashriqi" of August 4 denouncing the Landi Kotal crime, and denying any deterioration of Anglo-Afghan relations, was held sufficient to satisfy the demand for a démenti.<sup>3</sup>

**249. The 'escape' of the Landi Kotal murderers.**—On August 23, the Afghan Foreign Minister intimated that Ardali and Daud Shah, the Landi Kotal murderers, had escaped on the night of August 17/18 from 'lock up' in Kabul.<sup>4</sup> Whether this 'escape' was genuine, or was really a release by the Afghan Government, is likely to remain a matter of conjecture. The latter alternative seems slightly the more probable, but it is not easy to discover the motives for such action with any certainty.

It may be noted however, that the arrest and trial of Afghan subjects for a crime committed in British India would have been a departure from all precedent in Afghanistan. Amir Habibullah, even when in receipt of a subsidy, had never gone so far. The punishment of raiders was an explicit stipulation in the proposed 'Pis aller' Treaty, which offered a subsidy, and the Afghan Government had never agreed that it was implicit in the existing 'neighbourly' Treaty.<sup>5</sup>

The arrangement, again, by which British counsel would attend the Kabul courts each day from the British Legation would very likely have been regarded as an attempt to dictate the verdict in the case by diplomatic pressure. A conviction of the accused in such circumstances would certainly have confirmed this impression, and might have inflamed public opinion. The result in fact might well have been a popular rising against the Amir, particularly in the Eastern Province, which is notoriously fanatical in sentiment, and where the executive at this time was admittedly weak.<sup>6</sup> There were already signs of internal disorder, and the Amir may have thought that even the risk of rupture with Great Britain, involved in an 'escape', would be preferable to the repercussions of such a trial.

At the very least it might have been feared that the presence of British counsel in the court would expose the crudities of Afghan judicial proceedings to the ridicule of the Anglo-Indian Press, and to ridicule the Afghan is always hypersensitive.

A parallel to such a solution of legal and diplomatic difficulties can be found in the 'escape' of Piparno.<sup>8</sup>

Another possibility is of course that either Bolshevik money or S. Nadir Khan's sinister influence had been at work.

<sup>1</sup>Kabul despatch 25 (15-8-1923) (A. S. VIII 189-A).

<sup>2</sup>Ibid.

<sup>3</sup>Tel. 3113 (23-8-1923), from S. of S., to Viceroy (A. S. VIII 192).

<sup>4</sup>Kabul tel. 128 (23-8-1923) (*ibid* 193).

<sup>5</sup>Para. 192.

<sup>6</sup>Tel. 1071 (27-8-1923), from Viceroy, to S. of S. (A. S. VIII 205).

<sup>7</sup>Kabul despatch 25 (15-8-1923), (*ibid* 189-A.).

<sup>8</sup>Para. 341.

On the other hand it is quite conceivable that the escape was genuine. Sentences of imprisonment ranging from four years to six months were published as having been awarded to the officials responsible for it;<sup>1</sup> and the fact, reported both from India and Kabul, that on the night of August 8/9, 22 prisoners escaped from the jail at Jalalabad showed that such accidents might well occur.<sup>2</sup> This development did not affect the British demand:—

‘For the moment escape of prisoners merely makes fulfilment of our first condition more difficult for Afghans, and we agree that incident need not, for the present, affect action already decided upon, but Humphrys should express to Amir dismay with which His Majesty’s Government have heard of escape.’<sup>3</sup>

‘On August 28, unqualified regret of Afghan Government at escape was expressed by the Foreign Minister. He stated that news of escape had come to Amir and himself as thunderbolt.’<sup>4</sup>

On September 19, the Chief Commissioner reported that the Afghan authorities were preparing to take military action against the Sangu Khel:—

‘One cavalry regiment has since arrived at Jalalabad, and six infantry battalions and two batteries are expected to arrive here, but there is no news of their marching.’<sup>5</sup>

**250. Transit of arms refused, pending proof of abandonment of their unfriendly and provocative policy by Afghan Government.** The British demands.—On September 8, the Afghan Foreign Minister presented an official application for facilities for the transit of the arms through India<sup>6</sup>, and was informed that a formal reply would be given on September 18.<sup>7</sup>

On September 19, the Minister telegraphed as follows:—

‘Demands were embodied in two separate notes. In first note (No. 307) causes of complaint and previous correspondence were summarised, and following demands were made:—

- (1) re-arrest and genuine trial of Landi Kotal murderers;
- (2) as regards Kohat murderers, such overt action as will convince His Majesty’s Government of determination of Afghan Government to prevent such criminals from endangering, from any refuge in Afghanistan, the peace of the Indian Frontier. It is noted that deportation to Turkestan, on conditions specified in telegram No. 1017-S., dated the 7th August,<sup>8</sup> from Government of India will be accepted in satisfaction of this demand;
- (3) complete cessation of anti-British intrigue in Waziristan involving (a) dismissal of deserters from British service from Afghan armed forces on Frontier, with undertaking that they will not be re-employed; (b) disbandment of Wazirs and Mahsuds employed on British side of the line;
- (4) satisfactory reparation for Abazai, Kurram, Spinchilla and Barshor outrages, with remark that losses at Duzdap will be taken up separately.

2. Second note (No. 308) specifies amends which in following cases will be accepted as satisfactory:—

- (1) Barshor—1,000 rupees on account of camels, plus return of 81 rifles;
- (2) Spinchilla—Return of one Lewis gun, two Vickers and 41 rifles, plus 2,030 rupees on account of ransom money and property of kidnapped Hindus, plus 2,833 rupees on account of 17 camels;
- (3) Abazai—7,000 rupees Kabuli as blood-money for two Achakzais, plus 1,000 rupees on account of 7 bullocks;
- (4) Kurram—14,000 rupees Kabuli as blood-money for two tribal sepoys killed and three wounded, plus return of two rifles.

3. Machine guns and rifles surrendered to be those lost or similar. In default full 800 to be paid for each. Where not otherwise stated above, rupees are British. At the end of this note mention is made of additional heavy losses for which no claim is made.

4. Both notes were presented by me to Foreign Minister at yesterday’s interview. After reading them carefully in my presence, he said that if the first note were accepted officially it would be necessary to lay it before Amir’s Council, an anti-British outburst would certainly follow, and situation would get beyond his control. Orders for the complete satisfaction of four demands of His Majesty’s Government contained in note had

<sup>1</sup>Kabul tel. 280 (16-10-1923) (A. S. IX 23).

<sup>2</sup>Diary M. A. Kabul 1923. 31 (5).

<sup>3</sup>Tel. 3181 (30-8-1923), from S. of S. to Viceroy. (A. S. VIII 218).

<sup>4</sup>Kabul tel. 130 (30-8-1923) (*ibid* 229).

<sup>5</sup>Kabul tel. 1919 (19-9-1923), from N.W. F., to G. of I. (*ibid* 276).

<sup>6</sup>Kabul tel. 134 (8-9-1923), (*ibid* 246)..

<sup>7</sup>Kabul tel. 137 (14-9-1923) (*ibid* 267).

<sup>8</sup>(A. S. VIII 155).

already been issued, and within one month, or at most six weeks, these orders would be carried out. Meanwhile arms could be detained at Bombay without the Council knowing that other than inevitable causes occasioned the delay. He asked that acceptance of second note only should be allowed, and I left that note with him.

I said that first note was in reply to his letter (to which reference was made in my telegram No. 134)<sup>1</sup> (but that ?) without further reference to my Government I would not press him to accept note, provided that he required no written reply to his letter, and understood clearly that there was no other possible answer to his request for facilities.

*Comments.*—In case of Landi Kotal murderers, demand made was purposely worded not to suggest possibility of flight of murderers to border or Tirah.

In view of instructions contained in your telegram No. 45, dated July 28th,<sup>2</sup> I have not considered myself at liberty to specify detailed demands mentioned in second note as minimum that would be accepted, although my own feeling is that these demands should be met in full. My own view is that it would be rash to hold that Foreign Minister and Commander-in-Chief are altogether bluffing, although they are obviously making the most of possible dangers.

That His Majesty's Government are in earnest is now fully realised by Afghan Government, and I consider in fact that there is nothing to lose by granting the Foreign Minister's request. Arrangements for storing arms at Bombay have been made, and next move clearly is with Afghans';<sup>3</sup>

and a week later :—

'I discussed with Foreign Minister at yesterday's interview demands contained in my second Note, presented to him on 18th September. Foreign Minister said that his Government agreed to carry out all demands in respect of Spinchilla and Barshor immediately. Information had been received by him that Afghan authorities had collected at Kandahar about 40 rifles and two machine guns, and he asked if letter could be written to Governor of Kandahar by Agent to the Governor General in Baluchistan, to fix the date of handing these over to British Officers at Chaman as first instalment. He assured me that machine guns and rifles were of the same pattern as those taken at Spinchilla and Barshor.

*Comments.*—I recommend that action proposed should be taken, and that officer sent to Chaman should be empowered definitely to accept or reject arms delivered to him.

Foreign Minister said that cash compensation on account of Hindus and camels would be paid to me, and that other rifles were being collected daily in Kabul, and if I agreed to accept them at British Legation they would shortly be handed over there.

*Comments.*—I have since written to Foreign Minister informing him that I am prepared to receive other compensation in cash at Kabul, but asking him that Spinchilla rifles should be handed over at Miranishah or Torkham. I request that at both places an officer may be empowered to take over the rifles.

Foreign Minister stated, in regard to Kurram outrage, that so far Afghan local investigation had not corroborated report which he had received from me, and he asked that joint enquiry by Political Agent, Kurram, and Governor of Khost should be held immediately. I replied that, on the understanding that enquiry and settlement would take place immediately, and would be quite distinct from Jaji-Turi Commission, I would refer question to my Government. Foreign Minister agreed to this.

*Comments.*—Although absurdly belated I yet recommend that request for joint enquiry should be granted, as development of system of joint commissions, which I regard as most important, would be obstructed by refusal, while, locally, holding enquiry should have useful effect and counteract that of Tazi Khel Commission. Also if Heale meets Governor of Khost he may be able to expedite holding of Jaji-Turi Commission. I recommend that Political Agent, Kurram, should settle time and place at once in correspondence with Governor of Khost.

*Abazai.*—Foreign Minister stated that report had been received from Governor of Kandahar of murder by Shahjui Wazirs of two Achakzai Afghan subjects, and that four Wazirs were in prison on this account. He thought that there might be some confusion on this point. I assured him that the two murdered men were not Afghan, but British, subjects. He promised that on receipt of more detailed information he would admit claim.

*Comments.*—Further details of this case have since been furnished by me to Foreign Minister in writing.

<sup>1</sup>(*Ibid* 246.)

<sup>2</sup>(*Ibid* 141.)

<sup>3</sup>Kabul tel. 141 (19-9-1923) (*i.b.d* 283).

Foreign Minister said that my demands would be very shortly fulfilled as regards Kohat and Landi Kotal murderers and Waziristan. Orders had been issued by Amir that Landi Kotal murderers should be killed unless they were re-arrested within twelve days from the 25th September. Troops were being held in readiness.<sup>1</sup>

The Secretary of State approved the action of the Minister, and agreed with the Government of India that the first note should be kept in reserve.<sup>2</sup>

Subsequent developments may be described under the various heads of the demands mentioned in Kabul telegram 141 of September 19.

### 251. Satisfaction of the demands.—

#### (1) 'Re-arrest and genuine trial of Landi Kotal murderers.'

On September 29, a proclamation was issued by the Amir extending a pardon to Ardali and Daud Shah for the offence of escaping from jail if they surrendered within a specified time, otherwise rewards were offered for their production dead or alive.<sup>3</sup>

Eventually on January 21, 1924, they were enticed from their refuge in Mohmand country by stratagem, but, suspecting treachery, opened fire on Colonel Nasir Ahmed and the troops who had been sent to effect their arrest. The troops returned the fire and Ardali was killed.<sup>4</sup> Daud Shah escaped, but having participated in the killing of an Afghan soldier, was now an outlaw and took to raiding in Afghan territory.<sup>5</sup>

In February 1924 the Government of India were inclined to regard reports that he was with Mohmands on the British side of the line as correct.<sup>6</sup>

252. (2) 'As regards Kohat murderers such overt action as will convince His Majesty's Government of determination of Afghan Government to prevent such criminals from endangering, from any refuge in Afghanistan, the peace of the Indian frontier.'

As long before as July the Minister at Kabul had suggested active co-operation on the British side of the line to assist the Afghan Government in rounding up this gang.<sup>7</sup> In October, when Afghan troops were reported to have been sent to search for the gang in Ningrahar, he repeated this request.

'Co-operation will be impossible when once Afghan troops have returned to Jalalabad. If no active measures are taken on our side, it will certainly be claimed by Afghan Government that their efforts have received no backing from us.'<sup>8</sup>

The situation was rendered more acute by the murder at Parachinar of Captain and Mrs. Watts, almost certainly by members of this gang, in the early hours of November 8.<sup>9</sup>

The formal demand in regard to the disposal of the gang was not however altered, although on December 14, the Minister at Kabul in a letter to the Afghan Foreign Minister wrote as follows:—

'In view of the fact that the Parachinar murder was committed by members of the Kohat gang from a base in Afghanistan, my Government are clearly justified in expecting that more drastic action than deportation to Turkestan as previously proposed will now be taken against them.'<sup>10</sup>

On November 20, the Afghan Foreign Minister agreed that British tribesmen might cross the Durand line in pursuit of the murderers.<sup>11</sup> On November 15 an Afridi lashkar was reported to have made a search of their limits. The Afridi jirga confirmed the presence of the gang at Mandatai in Afghan Ningrahar.<sup>12</sup> On November 25, the Governor of the Eastern Province was ordered to proceed to the border 'to enforce Sangu Khel co-operation with Afridis in search of both sides of the line and round up Landi Kotal and Kohat gangs'.<sup>13</sup>

On December 9, the Chief Commissioner met the Governor of the Eastern Province at Landi Kotal to concert measures for the disposal of the gang.

<sup>1</sup>Kabul tel. 144 (26-9-1923) (A. S. VIII 301).

<sup>2</sup>Tel. 55 (4-10-1923) from S. of S. F. A. to Min. Kabul (A. S. IX 18).

<sup>3</sup>Kabul tel. 148 (10-10-1923) (*ibid* 39).

<sup>4</sup>Letter 280 (28-1-1924) from N. W. F., to G. of I. (A. S. XII 254).

<sup>5</sup>Para. 305.

<sup>6</sup>Tel. 303 (6-2-1924) from Viceroy, to S. of S. (A. S. XII 295) and see tel. 460 (15-2-1924) from N. W. F., to G. of I. (A. S. XIII 53).

<sup>7</sup>Kabul tel. 218 (11-7-1923) (A. S. VIII 63).

<sup>8</sup>Kabul tel. 291 (23-10-1923) (A. S. IX 92).

<sup>9</sup>Tel. 974 (8-11-1923) from N. W. F., to G. of I. (*ibid* 186).

<sup>10</sup>Letter 395 (14-12-1923) from Min. Kabul, to Af. For. Min. (A. S. XI 85).

<sup>11</sup>Kabul tel. 174 (20-11-1923) (A. S. IX 296).

<sup>12</sup>Letter 171454 P. S. (22-11-1923), from N.-W. F., to G. of I. (*ibid* 326).

<sup>13</sup>Kabul tel. 177 (25-11-23) (*ibid* 328).

'The Governor.....asked me to send with him three Afridi maliks with the object of seeing with their own eyes that the gang were not in Nazian—a futile proceeding to which I refused to agree.'<sup>11</sup>

The meeting was consequently inconclusive.

On December 15 the Political Agent, Khyber, met the Governor at Tor-kham:—

'No agreement was possible as Shinwari asserted Kohat gang had never entered their limits at all..... They professed readiness to take oath, but Brett declined to tender one on this basis.'<sup>12</sup>

It was then proposed that a party of 60 to 100 Frontier Constabulary armed, but not in uniform, and under a British officer, should join the Afghan Governor to assist in capturing the gang, and that the Military Attaché of the British Legation should proceed to the Afghan Camp to ensure liaison.<sup>13</sup>

To this proposal—

'Wali demurred on the ground that Afghan sovereignty would be infringed thereby..... he gave way after much pressure..... He finally agreed in entirety to proposal, but said that Afghan Government would much prefer it if Muhammadan officer were sent, and Afghan Government could not be held responsible in such exceptional circumstances for the safety of British officers though everything possible would be done to protect them. He urged that grant of my request should not be considered as a precedent, and added that similar request on Afghanistan's northern frontier had recently been refused.'<sup>14</sup>

On January 3, the Minister summarised the position as follows :—

'The gangs have been reported at varying intervals to be moving about in Sangu Khel or Mohmand country, and at the moment are understood to be in one or the other area, although the Afghan Government have informed me that both gangs are now in Tirah. In the case of the Kohat murderers, this statement was supported by a certificate attested by 286 Afridis summoned from Tirah for this purpose. Fresh plans for the disposal of these gangs in co-operation with the Afghan authorities are now being considered.'<sup>15</sup>

On January 9th Minister telegraphed :—

'At Wali's urgent request I visited Foreign Office this afternoon. Wali said that Governor, Eastern Province, who was at Morchal, at the other end of the telephone, requested immediate orders regarding Kohat gang. Governor said that he had received a message, despatched by Ajab from border just within Afridi limits, that whole gang was about to start for another asylum owing to pressure from both sides. If still acceptable, however, gang was prepared to consider deportation to Turkestan..... He therefore asked me to state definitely whether deportation, on the terms laid down in letter No. 307, would or would not be accepted. I took the responsibility, after some reflection, of informing him that deportation on these terms would be accepted, but said that I did so in the conviction that gang were in Afghanistan.'<sup>16</sup>

Meanwhile the plan of sending a British officer, with Frontier Constabulary and a British officer from the Kabul Legation, to the Afghan camp had been abandoned ; and it had been decided to send only an Indian official, the Political Tahsildar, Landi Kotal, with a party of Shinwari maliks.

They crossed the frontier on January 10<sup>7</sup>, and the coincidence of their arrival in Afghan territory with the surrender of the Kohat gang can hardly have been accidental.

On January 13 the Chief Commissioner reported :—

'It is now clear that Kohat gang have surrendered to Governor Jalalabad and have returned to Mandatai'.<sup>8</sup>

Some doubt was however suggested as to whether those who had surrendered were the five men named as implicated in the Ellis case, and the Chief Commissioner accordingly asked for details.<sup>9</sup>

On February 6, the Minister telegraphed:—

'A list of persons under orders of deportation to Turkestan was received by me from Foreign Minister. This list contains names of Ajab and Alam Khan, his nephew,<sup>10</sup>

<sup>1</sup>Tel. 9123 (9-12-1923), from N.-W. F., to G. of I. (A. S. X. 77).

<sup>2</sup>Tel. 16123 (16-7-1923), from N.-W. F., to G. of I. (A. S. XI 45).

<sup>3</sup>Tel. 3602 (26-11-1923), from N.-W. F., to G. of I. (*ibid* 152).

<sup>4</sup>Kabul tel. 205 (30-12-1923) (*ibid* 211).

<sup>5</sup>Kabul despatch 2 (3-1-1924) (A. S. XII 32).

<sup>6</sup>Kabul tel. 10 (9-1-1924) (*ibid* 37).

<sup>7</sup>Tel. 18 (10-1-1924), from N. W. F., to G. of I. (*ibid* 36).

<sup>8</sup>Tel. 27 (13-1-1924), from N. W. F., to G. of I. (*ibid* 83).

<sup>9</sup>Tel. 332 (4-2-1924), from N. W. F., to G. of I. (*ibid* 277).

Shahzada, Haider Shah and his uncle, Amal Khan, and 23 women and children, but omits Gul Akbar and Sultan Mir. I went to Foreign Office immediately and asked for an explanation. Foreign Minister, who appeared much upset and confused, stated that from telephone messages and telegrams received from Governor, Eastern Province, he had understood that the five men who had surrendered were those mentioned in my note, dated 18th September, No. 307.<sup>1</sup>

The Minister's view of the resulting situation was as follows:—

*Kohat case.*—On 4th March, he told me that Gul Akbar and Sultan Mir had accompanied Ajab on safe conduct to Jalalabad, but that their families had never left Tirah. They remained 4 days in Jalalabad, and on refusing deportation to Turkestan, were expelled by Governor to Tirah. Wali undertook that they would without question be compulsorily deported to Turkestan, if they again returned to Afghan territory.

*Comments.*—Throughout this case essence of British demand has been denial of harbourage to British criminals in Afghan territory. Offer of deportation to Turkestan, if feasible, was first made by Afghan Government, and was approved somewhat reluctantly by His Majesty's Government as acceptable solution. Originally whole gang refused these terms<sup>2</sup>....The orders to the troops sent to Eastern Province were to expel to Tirah, or kill, if resistance were offered.<sup>3</sup>....In accordance with instructions contained in Lord Curzon's telegram No. 2 of January 9th, 1924<sup>4</sup> confirmation of acceptance by His Majesty's Government of terms stated in Note 307 was informally communicated by me in writing to Foreign Minister on 10th January. If Wali had reported to me in his reply dated 13th January<sup>5</sup>.....as he has stated since, that the gang had come on safe conduct, that two had refused deportation, while three had accepted, and that first two were being immediately expelled to Tirah, there would seem to have been little ground for complaint, as their presence was secured, not through arrest, but on safe conduct. His omission to do so reflects great discredit on the conduct of the Governor at least, if not of the Afghan Government. Government of India, I understand, believe that the two men are now in Tirah at a considerable distance from the Afghan frontier. Since fact remains that nothing which the Afghans can do, or which we can legitimately ask them to do, would improve the actual position, further pressure on them in regard to this case can have no useful result, so long as the criminals remain outside Afghanistan. In the event, however, of the two men returning to Afghanistan, compulsory deportation as promised would be insisted upon.<sup>6</sup>

The undertakings given in regard to Ajab, Shahzada, and Haider Shah, were as follows:—

- (1) They will always be without arms.
- (2) They will be continually kept in a limited area in Turkestan under complete surveillance.
- (3) The Afghan Government will not allow any of them to return to the neighbourhood and vicinity of the border of India.
- (4) The Afghan Government will not grant and fix any allowance for the said persons.'

and in regard to Sultan Mir and Gul Akbar:—

'if Sultan Mir and Gul Akbar.....enter Afghanistan I undertake to deport them also to Turkestan immediately.'<sup>7</sup>

As Sultan Mir and Gul Akbar's presence in Tirah was confirmed, the Government of India commented:—

'It must also be borne in mind that, however it may have been brought about, even expulsion to Tirah (which His Majesty's Government were disposed to prefer to deportation so recently as 3rd January last) constitutes a literal fulfilment of essential demand, and, as disposal of criminals is now in our hands, leaves us nothing further that we can effectively ask of Afghans.'<sup>8</sup>

The position now was that—

'The Afridis and Orakzais are apparently bound under the terms of the Shinawri agreement, re-affirmed in October, to arrest and hand over the two members of the Kohat gang.'<sup>9</sup>

<sup>1</sup>Kabul tel. 40 (6-2-1924) (A. S. XIII 2).

<sup>2</sup>Kabul tel. 158 (21-10-1923), (A. S. IX 73) and despatch 44 (2-11-1923) (*ibid* 204).

<sup>3</sup>See Kabul tel. 201 (26-12-1923) (A. S. XI 191) and tel. 39 (3-1-1924), from S. of S. to Viceroy (*ibid* 249).

<sup>4</sup>(A. S. XII 13).

<sup>5</sup>*Ibid* 205).

<sup>6</sup>Kabul tel. 1 camp (14-3-1924) (A. S. XIII 200).

<sup>7</sup>Letter 561 (20-5-1924), from Af. For. Min. to Min. Kabul. (A. S. XIV 291).

<sup>8</sup>Tel. 564 (15-3-1924), from Viceroy to S. of S. (A. S. XIII 207).

<sup>9</sup>Letter 1-F. (26-2-1924), from G. of I., to N. W. F. (*ibid* 118).

This case was accordingly held, so far as the Afghan Government was concerned, to have been liquidated.

253. (3) 'Complete cessation of anti-British intrigue in Waziristan involving (a) dismissal of deserters from British service from Afghan forces on frontier with undertaking that they will not be re-employed (b) disbandment of Wazirs and Mahsuds employed on British side of the line.'

This demand led to an interminable correspondence, of which the constant features were protestations by the Afghan Government on the one side that it had been fulfilled, and counter assertions on the other by the British authorities in Waziristan that no genuine action in this direction had been taken.<sup>1</sup> The subject of the demand lies at the root of Afghan policy on the Indian frontier, which is discussed elsewhere.<sup>2</sup> It will be sufficient to notice here only the action taken by the Afghan Government during this period to meet the British demands.

On August 20, the Minister telegraphed :—

'Foreign Minister told me that.....disbandment of all Mahsud and Wazir Khassadars in Afghan pay wherever employed had been decided upon, and also dismissal of all deserters from Khost Militia. He admitted that Mahsud and Wazir deputations which had visited Kabul had been paid usual expenses and presents on dismissal, but he protested solemnly that no increase by a single rupee had been, or would be, made to the old allowances, which since the time of Abdur Rahman had been paid by Afghan Government to Mahsuds and Wazirs.'<sup>3</sup>

For the next six months the correspondence on the subject deals mainly with the question as to how far these promises were being fulfilled by the local Afghan officials.

In November the Minister summarised the situation as follows :—

'The Mahsud Khassadars in Afghan employ, when receiving their arrear pay for October, are reported to have been warned that their employment might be discontinued, while certain allowances paid to Wazir Maliks by the Amir are believed to have been diminished. Musa Khan, after making overtures to the Resident in Waziristan, visited Kabul in September. I was assured by the Foreign Minister that he was sent away without money or any encouragement to continue his resistance. In Waziristan he is credited with having received a considerable sum of money while in this country. Whether there is any truth at all in this, his future conduct will probably show.'

Reports from Khost suggest that changes are being made in the administration of the Afghan Khassadars, but as yet there is nothing to demonstrate that definite steps have been taken to satisfy the demands of His Majesty's Government under this head.<sup>4</sup>

On November 7, he presented S. Muhammad Wali with a list of 94 deserters, received from the Political Agent Tochi, with a demand for their dismissal from the Afghan forces.<sup>5</sup>

On November 16, the Political Agent Tochi reported the return of four deserters who surrendered their rifles to him.<sup>6</sup>

On November 18, the Government of India remarked :—

'It has become increasingly clear for some time that assurances of Afghan Government in respect of Waziristan would not completely materialise within the specified period ..... It is indicated.....by latest reports that beginning has at least been made towards dismissal from Khost Militia of our deserters. ..... If, as Pears reports, and as Government of India believe to be the case, Khassadars have been paid up and given leave (and this is represented, perhaps *bona fide*, by Afghan Foreign Minister to Humphrys as equivalent to dismissal), and if allowances have just been paid, it will be twelve months before question of further allowances will arise.'<sup>7</sup>

On December 28, the Amir confirming the disbandment of the deserters stated that those—

'who were not in a position to settle owing to their having disposed of their rifles would be offered an appointment, or given a small grant of land at Kabul or Ghazni.'<sup>8</sup>

On February 5, 1924, the Chief Commissioner telegraphed :—

'Political Kurram confirms disbandment of whole Militia including officers.'<sup>9</sup>

<sup>1</sup>See memo. 15982-25-G. (15-1-1924), from Wazforce to G. of I. (A. S. XII 149).

<sup>2</sup>Ch. XXIV.

<sup>3</sup>Kabul tel. 127 (20-8-1923) (A. S. VIII 199).

<sup>4</sup>Kabul despatch 44 (2-11-1923) (A. S. IX 204).

<sup>5</sup>Kabul tel. 167 (10-11-1923) (A. S. IX 220).

<sup>6</sup>Tel. 1467 (16-11-1923), from G. of I., to Min. (*ibid* 251).

<sup>7</sup>Tel. 1474 (18-11-1923), from G. of I., to Wazforce (*ibid* 263-A.).

<sup>8</sup>Kabul tel. 204 (28-12-23) (A. S. XI 193).

<sup>9</sup>Tel. 137 (5-2-1924), from N. W. F., to G. of I. (A. S. XII 284).

There remained the Khassadars.

On November 25, the Minister reported the receipt of a letter from S. Muhammad Wali stating that the ' Mahsud and Wazir Khassadars from British side.....have been dismissed.'

**254. The murder of Major Finnis.**—The question was rendered still more acute by the murder on November 30, of Major Finnis, Political Agent, Zhob, near Manikhwa.

The murderers were found to be

(1) Misri brother of Angur (2) Adam Gul son of Akhtarjan (3) Rahim Dad son of Fatteh Khan (4) Ali Jan and two Sherranis (1) Musagai (2) Landak.<sup>2</sup>

' Out of four Wazir murderers named three are near relations of prominent hostiles. Angur, brother of Misri, commands Afghan Khassadars in Wana area. Akhtarjan holds rank in Khassadars corresponding to Captain, Rahim Dad holds rank corresponding to Havildar.'<sup>3</sup>

The statement made by Musagai, who was captured, was that—

' fifteen days before outrage certain Waziris arrived in Spin from Birmal to settle disputes with Dotannis. Among them were four Wazirs members of gang who were apparently already acquainted with Landak. Landak asked deponent to join in raid for loot....Gang reached Hasuband early morning fifth or sixth day out from Spin, and lay in ambush there for two whole days.....Attack on motor took place on third day.'

On December 14, the Minister reported that he had ' sent Foreign Minister letter to the effect ' that.....(2) Finnis' murder makes it all the more necessary that His Majesty's Government should receive confirmation that assurances regarding disbandment of Khasadars have actually been carried out.'

On December 23, Landak, another of those accused of the crime, was arrested.<sup>4</sup>

On December 26, the Minister telegraphed :—

' I obtained from Wali a promise that :—

- (1) exclusion of Finnis' murderers from Afghanistan would be ordered, and murderers would be deported to Turkestan if they entered Afghan territory ;
- (2) with a view to proving that Khassadars had been finally disbanded, arrears of pay of all Wazir Khassadars whatsoever would be permanently withheld ;
- (3) similarly, Afghan Government, in order to clear themselves officially from suggested connection with murder, would refuse to pay to any Wazirs their arrears of allowances.

My comments are as follows :—

I am doubtful whether Wali could now stop payment to Wazirs, even if he meant to, as I have received report that cheque on Urghun treasury for Rs. 20,000 was recently issued in Kabul for payment of Wazirs.<sup>5</sup>

These assurances were confirmed on December 28, by the Amir.<sup>6</sup>

**255. The obligations of the Afghan Government in this case.**—As regards the murderers themselves the position was that the Afghan Foreign Minister undertook that—

' Exclusion of Finnis' murderers from Afghanistan would be ordered and murderers would be deported to Turkestan if they entered Afghan territory.'

If they were arrested the Minister considered that a formal demand should be made for deportation, and ' fulfilment of it should be condition precedent to opening of negotiations for new treaty if present one is denounced.'

At the close of the period the murderers were stated by the Afghan Government to be outside Afghan territory.<sup>7</sup> According to British intelligence reports

<sup>1</sup>Kabul tel. 178 (25-11-1923) (A. S. IX 329).

<sup>2</sup>Tel. 488 (4-12-1923), from Int. Off., Quetta, to C. G. S. (A. S. X 24).

<sup>3</sup>Tel. 412 (4-12-1923), from Res. Waz., to Baln. (*ibid* 26).

<sup>4</sup>Tel. 1717 (11-12-1923), from G. of I., to Min., Kabul (*ibid* 102).

<sup>5</sup>Kabul tel. 188 (14-12-1923), (A. S. XI 27).

<sup>6</sup>Tel. 1818 (24-12-1923), from Viceroy, to S. of S. (*ibid* 132).

<sup>7</sup>Kabul tel. 199 (26-12-1923) (*ibid* 159).

<sup>8</sup>Kabul tel. 204 (28-12-1923) (*ibid* 193).

<sup>9</sup>Kabul tel. 199 (26-12-1923) (*ibid* 159).

<sup>10</sup>Kabul tel. 194 (23-12-1923) (*ibid* 113).

<sup>11</sup>Kabul tel. 37 (30-1-1924), (A. S. XII 250).

they resided after the crime at Chinai<sup>1</sup>, which was found by an aerial photograph to be exactly on the Durand line.<sup>2</sup>

[Their descriptive roll is given in memorandum 4155 (15-12-1923), from the Agent to the Governor-General, Baluchistan, to the Government of India.]<sup>3</sup>

The Afghan Foreign Minister maintained, in spite of reports from Waziristan to the contrary, that the Khassadars employed on the British side of the line had been dismissed<sup>4</sup> on November 25, but it was not until January 12, that the Political Agent Kurram was able to report :—

' Whole force of 500 Urgun Khassadars known as Nizam-i-Haji Abdul Razzak (?), including one hundred Mahsuds, have been dismissed.'<sup>5</sup>

And on January 29, the Afghan Foreign Minister reiterated the assurance as to their future employment :—

' I have already written to you in my letter 3358 regarding the Khassadars on the British side of the border and I assure you, my respected friend, that my sacred Government will never employ any Khassadars in the territory of your Government.'<sup>6</sup>

The particular demands made in connection with the cessation of Afghan intrigues in Waziristan had thus been substantially satisfied.

256. (4) ' Satisfactory reparation for Abazai, Kurram, Spinchilla and Barshor outrages, with remark that losses at Duzdap will be taken up separately'.

(a) Barshor and (b) Spinchilla. In these cases the cash compensation demanded was paid on October 18, 1923<sup>7</sup> and the three machine guns and 122 rifles handed over on November 23.<sup>8</sup>

(c) Abazai. The compensation was paid in full on October 21, 1923.<sup>9</sup>

(d) Kurram. This case arose out of the attack on the Kurram Militia patrol on October 7, 1922.<sup>10</sup>

The request " made by the Afghan Foreign Minister for a Joint Commission to enquire into this case was accepted, and on October 24, 1923, a joint report was signed by the Political Agent Kurram and the Governor of the Southern Province, that ' while evidence adduced is insufficient to establish guilt of individuals it is proved that offence was committed by irresponsible ('ghair zimmewar') Madda Khel Wazirs, and that gang included some Madda Khel members of Militia.'<sup>11</sup>

The crux lay in the curious word ' irresponsible.' What this word meant to the Governor had already been made clear in a letter he had written some three months previously to the Political Agent, in which he used the same expression and explained it :—' the danger of irresponsible 'badmashes' as some 'badmashes' residing near the border *within your limits*, being stupid and foolish, sometimes cherish the idea of suchlike mischiefs.'<sup>12</sup>

The effect of the finding consequently was that the outrage had been committed by ' independent ' Madda Khel Wazirs living on the British side of the line (' British tribesmen of independent belt ').<sup>13</sup>

The Political Agent explained that he ' did not for a moment imagine that it could be made to imply Wazirs on our side of the Durand Line '<sup>14</sup>, and the Government of India were loth to agree that he had been hoodwinked by the Afghan Governor.<sup>15</sup>

The case was eventually settled by the deletion of the offending word ' irresponsible ', the surrender of the two rifles demanded and the reduction of the cash compensation from Rs. 14,000 to Rs. 7,000 Kabuli, on January 23, 1924.<sup>16</sup>

<sup>1</sup>Tel. 7893 (17-12-1923), from Wazforce, to G. of I. (A. S. XI 53 camp).

<sup>2</sup>Memo. 483 (18-3-1924), from Res. Waz., to Wazforce (A. S. XIII 275).

<sup>3</sup>(A. S. XI 61-A.).

<sup>4</sup>Tel. 137 (5-2-1924), from N. W. F., to G. of I. (A. S. XII 284).

<sup>5</sup>Tel. K-7 (12-1-1924), from P. A. Kurram, to N. W. F. (*ibid* 71).

<sup>6</sup>Letter 279 (29-1-1924), from Af. For. Min., to Min., Kabul (*ibid* 293).

<sup>7</sup>Kabul tel. 153 (18-10-1923) (A. S. IX 61).

<sup>8</sup>Tel. 2311 (23-11-1923), from N. W. F., to G. of I. (*ibid* 307).

<sup>9</sup>Kabul tel. 158 (21-10-1923) (*ibid* 73).

<sup>10</sup>Para. 206.

<sup>11</sup>Para. 250.

<sup>12</sup>Tel. 946 (1-11-1923), from N. W. F., to G. of I. (A. S. IX 148).

<sup>13</sup>Letter 52 (25 Sartan 1302), from Governor Southern Province, to P. A. Kurram (A. S. VIII 203).

<sup>14</sup>Kabul tel. 312 (20-11-1923) (A. S. IX 299).

<sup>15</sup>Tel. 17178 (24-11-1923), from N. W. F., to G. of I. (*ibid* 318).

<sup>16</sup>Tel. 1551 (24-11-1923), from G. of I., to Min., Kabul (*ibid* 320).

<sup>17</sup>Kabul tel. 27 (23-1-1924), (A. S. XII 196).

The Secretary of State commented unfavourably on the conduct of the Governor in this case.<sup>1</sup>

257. The demands substantially fulfilled.—On March 14, 1924, the Minister was able, after summarising the actual position in regard to each of the demands, to state :—

' The demands contained in Note 307 have been almost entirely fulfilled in spite of evasions, and it seems reasonable to assume that change of Afghan policy, declared to be necessary condition precedent to release of arms in concluding sentence of that note, has actually taken place. On broad grounds, I strongly recommend that arms be now released.'<sup>2</sup>

258. The release of the arms.—Early in the crisis the Secretary of State had remarked :—

' While convenient lever for obtaining reparation for certain definite offences is afforded by Afghan desire to import arms, it will be borne in mind that all that Treaty entitles us to require is satisfactory evidence of change in Afghan Government's general policy, and it might not be reasonable, if this evidence is otherwise sufficiently forthcoming, to hold up arms because of failure on the part of Afghans to satisfy some specific demands of detail over which it is possible that they may have legitimate difficulty,'<sup>3</sup>

and it was agreed by His Majesty's Government that the arms should be released forthwith.<sup>4</sup>

The following letter was accordingly addressed to the Afghan Foreign Minister on March 19th, 1924 :—

' I have the honour to announce to Your Excellency that His Majesty's Government have agreed to release the arms detained at Bombay, and that orders have been issued to this effect. These arms would have been released some time ago, but for the regrettable development in the disposal of the Kohat murderers. His Majesty's Government have throughout been justified in expecting the full satisfaction of their extremely moderate demands, made in my note No. 307, dated 18th September 1923. Although since the presentation of that note, other cases have occurred—notably the murder of Major Finnis, which has already formed the subject of correspondence between us—which have caused His Majesty's Government to question the friendliness of the Afghan Government, they have decided to pursue these cases separately, and look to the Afghan Government for the satisfactory settlement of any question arising therefrom.

His Majesty's Government rely on the good faith of the Afghan Government to fulfil the following promises in connection with the demands stated in my Note 307 :—

- (1) the satisfactory disposal of Daud Shah ;
- (2) the immediate and compulsory deportation to Turkestan, without any further question, of Sultan Mir and Gul Akbar should they again enter Afghan territory ;
- (3) the permanent dismissal of Wazir and Mabsud khassadars, with an undertaking that these men shall hereafter receive no payment in any form from the Afghan Government.

His Majesty's Government trust that the Afghan Government will work with them for the removal of misunderstandings and the establishment of mutual confidence and goodwill'.

S. Muhammad Wali's reply was as follows :—

' Your letter.....has been received with affection and gratitude, and I offer my thanks for the release of the Afghan arms. I have accordingly issued orders to the officials of the Afghan Government at Bombay to send the arms to Kabul, and also request you kindly to instruct the officials of your Government to grant necessary facilities for their despatch.'<sup>5</sup>

With the release of the arms the ' Anglo-Afghan crisis ' ended.

259. Publication by Afghan Government of their compliance.—In January 1924 the Resident in Waziristan had pointed out that promotions of deserters employed in the Khost Militia Battalion had been gazetted in the ' Aman-i-Afghan ' of October 14th, 1923, and suggested that their dismissal, now stated by the Afghan authorities as a fact, should similarly be gazetted.<sup>6</sup>

<sup>1</sup>Tel 4436 (14-12-1923), from S. of S., to Viceroy (A. S. XI 25 camp).

<sup>2</sup>Kabul tel. 1 camp (14-3-1924) (A. S. XIII 200).

<sup>3</sup>Tel. 45 (28-7-1923), from S. of S., to Kabul. (A. S. VIII 141).

<sup>4</sup>Tel. 889 (17-3-1924), from S. of S., to Viceroy (A. S. XIII 218).

<sup>5</sup>Letter 61 (19-3-1924), from Min. Kabul, to Af. For. Min. and letter 375 (20-3-1924), from Af. For. Min., to Min., Kabul (*ibid* 299).

<sup>6</sup>Tel. 21 (21-1-1924), from Res. Waz., to N. W. F. (A. S. XI 247).

The Afghan local officials were reported by the Waziristan Force Commander to have taken some action at the end of December, towards the satisfaction of our demands in regard to the deserters and Khassadars, but this action was considered to be somewhat ambiguous :—

' Governor.....on refusal to surrender rifles by majority of deserters numbering about 60.....withdrew offer of land and declared them dismissed ..... Thus to the extent of dismissal of Wazir Khassadars our demands have been satisfied, but have been evaded by offer to Mahsuds of new service. In order to obtain complete satisfaction of demands we should ask for gazettlement of dismissal of all Mahsud and Wazir officers in Birmal Khassadars, whose appointments or promotions were gazetted.'<sup>1</sup>

The Minister remarked :—

' Gazetting. To ensure that dismissal would not be followed by re-employment in civil force has been my chief difficulty. If Afghans agreed to gazetting, it would leave open this subterfuge and be less decisive than Foreign Minister's official letter No. 3496 forwarded to Resident..... It would, in my opinion, form dangerous precedent to suggest that we accept Afghan gazetting as proving anything at all.

Though it goes beyond wording of letter 307, I hope to obtain assurance against re-employment of Mahsuds and Wazirs on British side of the line.'<sup>2</sup>

The Government of India stated their requirements as follows :—

' To complete our demands with respect to deserters we are justified in our opinion in asking for—

- ' (a) extension of the order of dismissal to all officers and men named in our list of 94 names ;
- (b) notification in Gazette, at least in case of officers, of orders passed, or, failing this, for formal written list of all names included in orders of dismissal. No civilised Government would be able to dispense with formality of Gazette notification, but if Afghans find it so distasteful as to make compliance impracticable, demand would be waived by us, in return for some substantial equivalent such as a formal written list, as above mentioned, of names included in order of dismissal.'<sup>3</sup>

The Secretary of State telegraphed on January 22 :—

' As regards dismissal of Khassadars and deserters, in spite of remarks in telegram No. 20 from Humphrys, we feel that gazette notification of dismissal should be pressed, as obviously legitimate and natural demand..... Point is that this would be official intimation of dismissal to public, though it would not be accepted as proving anything to us. Written list if accepted instead would appear to have little value, unless it can be published as authoritative Afghan announcement.'<sup>4</sup>

Official intimation of the action taken by the Afghan Government in regard to the deserters was made in a letter of February 5 :—

' With reference to letter No. 356 from the British Legation, and the list attached therewith regarding 94 persons of the Militia of the Southern Provinces, I write to say that of the persons mentioned in the list, 3 are dead, 22 had deserted, and 4 were already classed as ordinary subjects. The remaining 65 persons who were in military service in the Southern Provinces have been dismissed, their pay has been abolished, and they have been granted land for cultivation in the Southern Provinces, so that they may live like all other subjects of that place, and may never in future enter the service of Afghanistan.'<sup>5</sup>

On February 23, the Government of India telegraphed :—

' Gazetting. Our telegram 383-S., repeating Wazirforce telegram G.-8, shows that full publicity has been given to facts locally and effects thus produced would not be added to by gazette notification..... Nominal roll of Wazir and Mahsud Khassadars dismissed, if Humphrys can secure this, would therefore gladly be accepted by us in exchange.'<sup>6</sup>

The Minister pointed out that 'to secure nominal roll from Afghan Government will.....take a long time', and suggested as an alternative that he should 'obtain Foreign Minister's written confirmation of nominal

<sup>1</sup>Tel. 15942 (13-1-1924), from Wazirforce, to G. of I. (A. S. XII 87).

<sup>2</sup>Kabul tel. 20 (16-1-1924) (*ibid* 130).

<sup>3</sup>Tel. 172 (17-1-1924), from Viceroy, to S. of S. (*ibid* 134).

<sup>4</sup>Tel. 231 (22-1-1924), from S. of S., to Viceroy (*ibid* 188).

<sup>5</sup>A. S. XIII 69.

<sup>6</sup>Tel. 410 (23-2-1924), from Viceroy, to S. of S. (*ibid* 97).

roll furnished by Resident.<sup>1</sup> The Wazirforce Commander however considered that it would be more useful if the list were prepared in Urghun<sup>2</sup>, and the Chief Commissioner considered that the lists should be obtained by the Minister at Kabul.<sup>3</sup> This was the position at the close of the period under review.

**260. Minor Frontier cases.**—On April 24, 1923, the garrison of the Landi Khana frontier post was fired on by three men, who were believed to be residents of Dakka.<sup>4</sup> A joint enquiry into the case was held on December 22, 1923 by the Political Agent Khyber and the Sarhaddar Dakka, but as the latter 'was unwilling to subscribe to any joint conclusion which would attribute any degree of suspicion to the accused'<sup>5</sup>, the matter was dropped.<sup>6</sup>

On May 29, 1923 it was reported that a piquet at Shilman Khula, which was on the watch for the Kohat gang, had fired on rafts in Afghan limits, and wounded an Afghan subject.<sup>7</sup> Compensation was paid to the wounded man by the Political Agent, Khyber.<sup>8</sup>

On August 13, 1923 a party of Kurram Militia and Frontier Constabulary convoying treasure to Parachinar, was fired upon by a gang of forty men, reported to consist of Madda Khel Wazirs enlisted in the Khost Militia.

The matter was represented to the Afghan Foreign Minister with a request that steps should be taken 'to put a final stop to such outrages.'<sup>9</sup>

The murder of Captain Baker Jones on October 1, 1923, has already been mentioned. The case was in fact scarcely one of deliberate murder ; but a demand was made by the British Minister on January 5, 1924 in regard to the two culprits Miandad and Gulab, and their associates Murad Ali, and Habib, for either 'removal to some place far distant from the frontier' or exclusion from Afghan territory.<sup>10</sup>

On January 21 the Minister was informed that Miandad had been arrested, and would be deported<sup>11</sup>, and on February 22, the arrest of Gulab and Habib was reported from Kandahar.<sup>12</sup> On March 9, however, Gulab and Habib were stated by the Consul at Kandahar to have been released, in order to placate a local Mullah who was opposing conscription.<sup>13</sup> Gulab and Habib were then officially reported to be untraceable.<sup>14</sup>

**261. The conduct of the Afghan Government during the crisis.**—The reasons for the constant shufflings, evasions, and failures to fulfil their promises on the part of the Afghan Government during this period must be largely a matter of conjecture, but one of them may be found in the existence of two rival parties in the State. S. Muhammad Wali had returned to Kabul on June 1, 1922, and soon after, had taken over charge as Foreign Minister from S. Mahmud Tarzi. Fresh from his tour in Europe, he seems genuinely to have aimed at conducting the foreign relations of his country on a civilised basis, and when the British demands were presented, to have done his best to ensure compliance with them. He was however, as the British Minister remarked, abysmally ignorant of Frontier matters. There is considerable evidence to show that his chief opponent was S. Nadir Khan. Between the diplomat and the soldier, the man of international affairs and the frontier expert, there seems to have been a lack of sympathy which is not unknown in other countries ; and S. Nadir Khan saw in compliance with the British demands the thin end of the wedge which would in time shatter Afghan influence among the Frontier tribes :—

In whichever form the theory appears, it shows Sardar Nadir Khan as the villain of the piece, plotting to ruin either the Amir or the Foreign Minister for his own advancement. It serves to explain many contradictory features in the present situation ; as, for instance, the repeated discrepancies between Sardar Muhammad Wali's assurances, and the actual conduct of Afghan officials on the Indian frontier, the 'escape' of the Landi Kotal murderers, which they themselves are said to have attributed to Sardar

<sup>1</sup>Kabul tel. 61 (27-2-1924) (A. S. XIII 132).

<sup>2</sup>Tel. G.-17 (3-3-1924), from Wazirforce, to G. of I. (*ibid* 151).

<sup>3</sup>Tel. 112 (25-3-1924), from N. W. F., to G. of I. (*ibid* 279).

<sup>4</sup>Tel. 397 (1-5-1923), from N. W. F., to G. of I. (F.-517, F.-130-A.).

<sup>5</sup>Memo. 66-617 (10-1-1924), from N. W. F., to G. of I. (A. S. XII 70).

<sup>6</sup>Memo. 33 (26-1-1924), from Min., Kabul, to G. of I. (*ibid* 246).

<sup>7</sup>Tel. 775 (8-6-1923), from G. of I., to S. of S. (F.-517 191).

<sup>8</sup>Memo. 2359 (14-7-1923), from N. W. F., to G. of I. (A. S. VIII 85).

<sup>9</sup>Letter 319 (24-9-1923), from Min. Kabul, to Af. For. Min. (A. S. IX 11).

<sup>10</sup>Kabul memo. 8 (11-1-1924) (A. S. XII 123).

<sup>11</sup>Kabul tel. 23 (21-1-1924) (*ibid* 165).

<sup>12</sup>Kabul tel. 54 (22-2-1924) (A. S. XIII 90).

<sup>13</sup>Kabul tel. 67 (9-3-1924) (*ibid* 186).

<sup>14</sup>Kabul tel. 70 (13-3-1924) (*ibid* 211).

Nadir Khan, the clumsy attempt to evade British demands by the recent surrender from the Afghan War Office of inferior rifles in the Barshor and Spinchilla cases, and the inconsistency of the Amir's provocative frontier policy with his undoubted desire for the peaceful progress of his country. The antecedents both of Sardar Muhammad Wali whom so impartial an observer as Mr. Pears has regarded as sincere, and of Sardar Nadir Khan, lend colour to this theory.<sup>1</sup>

More colour was lent to it by an interview which Sardar Nadir Khan had with the British Minister on April 4, 1924 :—

' He congratulated me on the fact that a peaceful solution had been found for the recent troubles on the Indo-Afghan border. Up to this point Nadir Khan's attitude towards me had been one of almost eringing civility, but the mask appeared to drop from his face for an instant when he added bitterly, ' You have achieved success, it is true, but at what a cost to myself, and to Afghan influence with the frontier tribes !'

Compliance with the British demands, particularly those for the dismissal of deserters and khassadars, must also have been peculiarly distasteful to the local officials on the Eastern Frontier. The lot of an Afghan provincial Governor is not a happy one. The Afghan regular garrisons, as was shown in the Khost rebellion, are inefficient and unreliable, and he has to maintain his position largely by diplomatic conciliation of public opinion. After the death of Ardali we find the Governor of the Eastern Province going in fear of being murdered by Daud Shah, and there are several indications that the dismissal of the khassadars, was, from the point of view of the Governor of Khost, a dangerous proceeding.

' Present Governor.....was certainly afraid of possible outbreak of dismissed Wazirs.'<sup>2</sup>

Local opinion in the Afghan provinces must certainly have been in favour of Sardar Nadir Khan's policy, while the general inefficiency of Afghan administration facilitated the evasion of orders from the capital :—

' Local authorities in the Afghanistan of to-day find little difficulty in evading the fulfilment of orders issuing from Kabul and.....the system of administration beyond the vicinity of the capital itself is extremely loose and haphazard..... These considerations do not of course excuse the Afghan Government nor do they diminish the gravity of the situation. On the other hand they increase it.'<sup>3</sup>

When to these factors is added Russian and Turkish influence, with the probability that Russian money was being employed for payments to our tribes, it is not surprising that fulfilment of the Foreign Minister's assurances was slow and halting.

**262. Reactions of the Anglo-Afghan crisis (a) on Anglo-Afghan relations.**—The Amir had been compelled to accept the interpretation which His Majesty's Government had put on 'neighbourly relations',<sup>4</sup> and to give compensation for damage caused by offenders from Afghan territory. This was contrary to all precedent. Even Habibullah, when in receipt of a subsidy, had never made such reparation :—

' The Amir.....said that his performances had not been properly appreciated in England.....all this was without precedent, and carried through in the teeth of public opinion. No Amir had previously made reparation of any kind to the Indian Government. His submission had enormously weakened his position on the frontier.'<sup>5</sup>

' We think that His Majesty's Government can congratulate themselves on the substantial measure of success obtained by the policy of persistent and patient pressure, which is far in advance of what in this instance at one time appeared probable, and of results achieved under the old régime.'

A definite check had been given to Afghan intrigue on the Frontier.

**263. (b) Among the Frontier Tribes.**—Here the results were less definitely beneficial. British prestige in the tribal belt may indeed be said to have risen as a result of the trial of strength with the Afghan Government, but on the other

<sup>1</sup>Kabul despatch 2 (3-1-1924).

<sup>2</sup>Kabul despatch 52 (17-4-1924).

<sup>3</sup>Tel. G.-7 (14-2-1924), from Wazforee, to G. of I. (A. S. XIII 40).

<sup>4</sup>Kabul despatch 2 (6-1-1923).

<sup>5</sup>Para. 191.

<sup>6</sup>Kabul despatch 50 (8-4-1924) (A. S. XIV 79).

<sup>7</sup>Tel. 564 (19-3-1924), from Viceroy, to S. of S. (A. S. XIII 207).

hand the statement of the British demands at once raised the question of reciprocal action by the Government of India<sup>1</sup>, and of their ability to fulfil the obligations which Sir Henry Dobbs had himself declared to be implied in the Treaty.<sup>2</sup>

The terms agreed upon with Ajab for the release of Miss Ellis at any rate provided for the release of four prisoners.<sup>3</sup> Sir John Maffey had stated the effect of such a concession upon frontier policy, when the same question arose in Waziristan :—

‘ Capture of British hostages will emasculate us on frontier unless we stand firm to principle of ransom only.’<sup>4</sup>

Further, the return of Sultan Mir and Gul Akbar to Afridi territory, and their subsequent residence there, advertised the difficulty of enforcing the Shinawri agreement, and confirmed the impression prevalent in Afghanistan, that by deporting the other members of the gang the Amir had done what the Government of India were unable to do for themselves.

264. (c) In Afghanistan itself.—The action taken by the Amir in compliance with the British demands certainly weakened his position in his own country, and the fact must not be overlooked in estimating the causes of the Khost rebellion.

There are frequent indications of this development towards the end of the period under review :—

‘ There can be no doubt that, especially in regard to action taken against Kohat and Landi Kotal murderers, Amir is finding it difficult to save his face with Mullahs.’<sup>5</sup>

‘ The deportation of Ajab and his party of males and females to Turkestan, and the murder of Ardali are matters which have greatly shattered the reputation of.....the Amir.....If the element of apprehension from the Amir as a ruler were eliminated, there was no doubt that a Fitwa of Kufr would have been passed against him.’<sup>6</sup>

‘ Importance of bringing relief to Amir from pressure, to which he is being subjected, at a very early date is emphasised by circumstances brought to notice in Wazirforce telegram.’<sup>7</sup>

In addition there was the prevalent impression that the Amir could no longer count on the general support of the British Government in the maintenance of his authority :—

‘ He would go so far as to state that without the prestige which British goodwill afforded the Amir would be utterly unable to keep his own unruly tribes in order.’<sup>8</sup>

265. (d) In other countries.—The Russian Government naturally exploited the situation to the utmost. A despatch from Moscow<sup>9</sup> announced that news had been received from Kabul that an ultimatum had been sent to the Afghan Government,<sup>10</sup> and it subsequently transpired that this story had been ‘ invented by the Russian Charge d’Affaires Solovieff, and telegraphed to Moscow by him.’<sup>11</sup>

M. Tchitcherin was reported to have taken the opportunity of informing the ‘ Afghan and Persian Ministers that Soviet Government were prepared to order mobilization in Turkestan, if British forces entered Afghanistan.’<sup>12</sup> In Persia ‘ tendentious reports ’<sup>13</sup> were published by the Moscow wireless. On December 24 1923 the bazars in Tehran were closed as a protest against the alleged British ‘ ultimatum ’ to Afghanistan, and on January 7 a ‘ report of outbreak of war ’<sup>14</sup> appeared in the press.

266. Two difficult questions had been raised in the discussions of Afghan intrigues on the Indian Frontier.

(1) The payment of allowances by the Afghan Government to our tribes.—This question was raised in June 1923 by the Resident in Waziristan.<sup>15</sup> The Gov-

<sup>1</sup>See paras. 433—438.

<sup>2</sup>Para. 191.

<sup>3</sup>Letter 445 (7-2-1924), from N.-W. F., to G. of I. (A. S. XIII 8).

<sup>4</sup>Tel. 50-A. (28-1-1923), from N.-W. F., to G. of I. (W. S. IV 154).

<sup>5</sup>Kabul tel. 30 (31-1-1924). (A. S. XII 251).

<sup>6</sup>Diary of Consul Jalalabad (31-1-1924). (A. S. XIII 29).

<sup>7</sup>Tel. 564 (15-3-1924) from Viceroy to S. of S. (*ibid* 207).

<sup>8</sup>Kabul despatch 37 (17-9-1923).

<sup>9</sup>A. S. XII 208.

<sup>10</sup>Kabul tel. 78 (2-4-1924). (A. S. XIV 16).

<sup>11</sup>Tel. 66 (7-1-1924), from S. of S., to Viceroy (A. S. XII 4).

<sup>12</sup>Tehran tel. 9 (8-1-1924). (*ibid* 8).

<sup>13</sup>Tehran tel. 15 (12-1-1924) (*ibid* 86).

<sup>14</sup>Memo. 496 (28-6-1923), from Res. Waz., to Wazforce (A. S. VIII 82).

ernment of India, although holding that 'payments on present scale constitute provocative and unfriendly policy', agreed with the Minister that in view of the fact that they had been tolerated for so long, their cessation should not be made a condition precedent to the release of the Afghan arms.<sup>1</sup>

**267. (2). The nationality of, and responsibility for, the Wazir and Mahsud colonists in Afghanistan.**—This question was raised in October 1923<sup>2</sup> by the Resident in Waziristan who saw in the practice of the Afghan Government, by which land was given and Afghan nationality possibly granted to refugees from the Indian frontier, a serious obstacle to the enforcement of tribal responsibility in Waziristan. As the correspondence on the subject went on, more and more importance was attached to it by the Waziristan authorities; so much so that they considered that it would be worth while to hold a Joint Commission on the boundary estimated to cost 65 lakhs (initial) and 14.5 lakhs (recurring), or half that amount if held at Wana, for the settlement of this question alone.<sup>3</sup> Finally the Government of India decided that nothing should be done which might 'have the effect of officially and permanently splitting up Mahsuds and Wazirs between Afghanistan and us'<sup>4</sup>, and the proposal was dropped. The course of the discussions regarding these two questions of allowances and nationality is traced in detail elsewhere.<sup>5</sup>

The problem of the Mahsud colonists was again brought to the fore by two raids, carried out at Chaisan Kach on Powindahs on February 13, and at Chagmalai on a military water piquet on March 16, 1924, respectively. The gang in the Chaisan Kach raid numbered twenty, of whom nine claimed to be Afghan subjects, and were members of the Guri Khel and Abdul Rahman Khel colonies in Afghanistan. The Chagmalai raid was 'the work of the Abdul Rahman Khel members of the Chaisan Kach gang.'<sup>6</sup>

#### AFGHAN FOREIGN RELATIONS.

**268. Great Britain.**—The trend of Afghan policy on the Indian frontier during the period has already been detailed; and it is only necessary here to mention those incidents which occurred in Afghanistan itself, and illustrated the general attitude of the Amir's Government towards Great Britain.

The conclusion of the Franco-Afghan archaeological convention clearly made the project of a visit to Balkh by Sir Aurel Stein, which had been brought to the notice of the Afghan Government as long before as the Mussoorie Conference<sup>7</sup>, more difficult of accomplishment. The Foreign Minister, when pressed on the point, was evasive and obviously unwilling. In April 1923 the British Minister recommended that the idea should be abandoned.<sup>8</sup>

Mr. McHaffie, the representative of a British engineering firm, who visited Kabul in July 1922, was unable to secure a reasonable contract and left in disgust; other representatives of British concerns, who came subsequently, had the same experience.<sup>9</sup>

In December 1922 the Afghan Government made enquiries as to the possibility of engaging British engineers for the construction of a road from Torkham to Mazar-i-Sharif, but the negotiations broke down, mainly because a 'R. E. subaltern deputed to Afghanistan expects more than the official pay of Afghan Commander-in-Chief.'<sup>10</sup>

In January 1923 the construction of the telegraph line from Torkham to Kabul was completed by a staff deputed from India and paid by the Afghan Government.

By April 1923 several Indian medical practitioners, who had accepted employment under the Afghan Government, either had returned to India or were anxious to do so.

In May two engineers, McKenna, an Englishman, and Lahiri, a Bengali, were engaged for an irrigation project in the Eastern Province, and application was made for the services of Muhammad Qasim, who had been in charge of the telegraph construction already mentioned, for the survey of a new line to Herat.

<sup>1</sup>Tel. 1017 (7-8-1923), from G. of I., to S. of S. (A. S. VIII 155).

<sup>2</sup>Memo. 1410 (14-10-1923), from Res. Waz., to Wazforce (A. S. IX 74).

<sup>3</sup>Memo. 1594178-G. (23-4-1924), from Waz., to G. of I. (F.-22-F. 1924 62).

<sup>4</sup>Tel. 811 (23-4-1924), from Viceroy, to S. of S. (A. S. XIV 100).

<sup>5</sup>Paras. 466-484 and 599.

<sup>6</sup>Memo. 512 (21-3-1924), from Res. Waz., to Wazforce (A. S. XIII 306-A.).

<sup>7</sup>Para. 98.

<sup>8</sup>Kabul despatch 10 (5-4-1923).

<sup>9</sup>Kabul despatch 44 (2-11-1923).

<sup>10</sup>Kabul tel. 39 (12-4-1923). (F. 435, F. 1923.)

' His refusal to reenter Afghan service is an example of the difficulties which beset the employment of Englishmen and Indians in this country. On the one hand, Afghan officials have at present no idea of treating their employees with ordinary justice or courtesy. .... On the other hand, in spite of the Foreign Minister's professed willingness to consult me regarding the qualifications and character of Englishmen and Indians to whom appointments are offered, there have been several instances of such appointments being made without awaiting the result of a previous reference to me. Consequently, while Afghan service is growing deservedly more and more unpopular in India, in Afghanistan the prejudice against applicants from India is in process of being confirmed by experience.'<sup>1</sup>

Arrangements were made in the autumn of 1923 with the Afghan Foreign Minister for the deportation from Afghanistan of Lt. Moysey, 'an ex-officer of the Indian Army who professes Islam, wears Afridi clothes, and bears a particularly unsavoury reputation'.<sup>2</sup>

In October 1923 a Punjabi doctor and a Muhammadan tea-planter were engaged by the Afghan Government. In January 1924 a Shinwari, named Abdul Wahid, who was associated with a British firm, arrived at Kabul to take up a concession he had obtained to work the gold mine at Kandahar, and the ruby mines at Jagdallak.

**269. The Anglo-Afghan Trade Convention.**—Article XII of the Anglo-Afghan Treaty provided for the conclusion of a Trade Convention, and the first formal meeting of the delegates selected for this purpose took place at Kabul on September 19, 1922.<sup>3</sup> The negotiations were very protracted, and, from December 21, 1922 till March 1923, were suspended on account of the loss of the Legation mail bag.

The Convention was finally signed on June 5, 1923, and is discussed in a later chapter.<sup>4</sup>

**270. France.**—In May 1922, M. Foucher, a French archæologist, arrived in Kabul from Herat with his wife, and Zia Humayun, a Persian, who soon afterwards became Private Secretary to the Amir. M. Foucher, although professing to be a purely non-official archæologist, appears to have been charged with the duty of arranging the necessary preliminaries for the reception of a French Legation and Educational Mission, and, for the conclusion of an archæological convention. This convention was published in draft form in September 1922. Article I granted France a concession for the whole of Afghanistan, but Article XI reserved to the Afghan Government the 'right of granting to savants of foreign nations permission to excavate in places where the learned French representatives are not carrying out their operations, and do not intend to start work within a period not exceeding five years.'

The Amir with whom the British Minister discussed the subject said that 'he was unaware of the precise wording of the convention, but that it was not his intention to grant such a monopoly to any Power'.<sup>5</sup>

In July 1922 S. Mahmud Tarzi, who had been relieved as Foreign Minister by S. Muhammad Wali, was appointed Minister to France.

By January 1923 three French professors had reached Kabul, and had 150 boys under 12 years of age in their school. By May the number had risen to over 300.

French interests in Afghanistan were officially represented to be purely scientific and educational, but it is noteworthy that the professors, according to one of themselves, drew pay from France in addition to their salaries from the Afghan Government<sup>6</sup>, and if, as there was some reason to believe, the funds for this purpose were provided by the 'Alliance Israélite', it seems unlikely that the objects of the mission were entirely non-political.

At the end of 1922 proposals were made for the despatch of a French military mission to Afghanistan, but were not followed up.

<sup>1</sup>Kabul despatch 25 (15-8-1923).

<sup>2</sup>Kabul despatch 44 (2-11-1923).

<sup>3</sup>Kabul tel. 96 (20-9-1923). (F.-188-F. 39).

<sup>4</sup>The Delegates were:—  
British : Major J. A. Brett (Foreign and Political Department, Government of India).  
Mr. W. W. Nind (Indian Customs Department).

Afghan : Ghulam Muhammad (Minister of Commerce).

Fakir Muhammad (late Afghan Trade Agent, Peshawar).

Faiz Muhammad (Senior Assistant, Foreign Office).

<sup>5</sup>Ch. XXXIII.

<sup>6</sup>Kabul despatch 12 (24-9-1922) which gives the text of the convention.

<sup>7</sup>Kabul despatch 25 (15-8-1923).

This was, however, denied by the French Government, Paris despatch 2013 (30-8-1923).

[F. 467 (1) F. 35].

<sup>8</sup>Kabul despatch 124 (2-10-1924).

In February 1923 M. Godard, an architect, joined M. Foucher to assist his archaeological researches, and was later employed by the Amir to revise the designs for the new public buildings at Dar-ul-Aman.

In September 1923 the French Minister M. Fouchet reached Kabul with two Secretaries and an interpreter.<sup>1</sup> A Military Attaché joined his staff in December.

In November M. and Mme. Foucher left Kabul to carry out archaeological research in the Balkh area.<sup>2</sup>

The Afghan Government refused at this time to allow the French Legation to erect a wireless receiving apparatus.<sup>3</sup>

271. **Germany.**—A German engineer, Harten, reached Kabul early in 1922, and was followed in September by a professing Moslem of German nationality, named Beck, and Oertel, a former associate of Wassmuss in Persia.

By November 1923 a further batch of five engineers and six or seven doctors had arrived. One of the doctors took over charge of the Kabul Civil Hospital from a Turk, who had formerly been the chief medical officer.<sup>4</sup> In December 1923 Dr. Grobba, who had been appointed Chargé d'Affaires, arrived and took up his duties.

By the end of March 1924 the German colony comprised—

' Five representatives of the German and Oriental Trade House (Bremen), three professors, seven doctors one of whom is a lady, two airmen, eight engineers, one architect, and one electrician. They give the impression of being far more efficient than their Italian rivals.'<sup>5</sup>

The institution of a German school under Dr. Iven was evidently designed as a counterpoise to the French educational mission.

272. **Italy.**—On June 1, 1922 the members of the Afghan Mission to Europe returned to Kabul, arriving with the Italian Minister the Marquis di Paterno. In addition to his diplomatic staff the latter was accompanied by some commercial representatives. Of these Vanni, and Reinach, a member of a Milan oil firm, left in July for Rome apparently disillusioned as to the prospects of business in Afghanistan. Macarian, a sub-director of the Banco di Roma, went to India at the same time, and did not return. Dr. Scarpa, the Commercial Attaché, after a tour in Northern Afghanistan with Ferrari, a mineralogist, took up an appointment in Bombay. Ferrari's report formed the subject of a despatch<sup>6</sup> by the British Minister. It was not followed by any active exploitation, as the mines inspected by him were too remote from communications to make production profitable.

In June 1922 a consignment of arms purchased by the Afghan Government in Italy was diverted to Massowah, as the Afghans refused to take delivery on the ground that the arms were of inferior quality.

Two aeroplanes were however landed and reached Kabul by road.

In July Azimullah Khan was appointed Afghan Minister to Italy, succeeding S. Sher Ahmed Khan.

In September 1922, S. Gmeiner, an Italian from Calcutta, began negotiations for a motor transport contract with the Afghan Government. An agreement was actually concluded in October<sup>7</sup>, but its terms were impracticable, and the contract was finally cancelled in June 1923.

The Marquis di Paterno left Kabul in July 1923 and the Legation, which was regarded by the Afghan Government as 'more of a shop than a Legation'<sup>8</sup>, remained in charge of S. Toni, the First Secretary.

In November twelve Italians reached Kabul; these were mostly engineers and were to be followed by thirty more later.<sup>9</sup>

By the end of March the number of Italians in Afghanistan had arisen to seventy-one. These included six sericulture experts, fourteen doctors, three of

<sup>1</sup>Kabul despatch 44 (2-11-1923).

<sup>2</sup>Kabul despatch 2 (3-1-1924).

<sup>3</sup>Kabul despatch 48 (7-4-1924).

<sup>4</sup>Kabul despatch 44 (2-12-1923).

<sup>5</sup>Kabul despatch 48 (7-4-1924).

<sup>6</sup>Kabul despatch 1 (5-1-1923).

<sup>7</sup>Kabul despatch 4 (12-1-1923).

<sup>8</sup>Kabul despatch 25 (15-8-1923).

<sup>9</sup>Kabul despatch 2 (3-1-1924).

whom were ladies, five engineers and an employee of the Post and Telegraph Department.

' In many instances their qualifications for their new duties are certainly not apparent, and one is led to suspect that they have been selected mainly owing to the Fascist complexion of their political convictions.'<sup>1</sup>

**273. Turkey.**—The Angoran Government was first represented by Abdurrahman Beg Peshawari, a well-known Indian revolutionary, who had arrived in Kabul in the spring of 1921.

In June 1922 he was succeeded by Fakhri Pasha, a general, who had won distinction by his defence of Medina during the war, and was one of the Malta deportees. In August 1922 the British Minister described him as Anglophobe ' to the verge of monomania ', and wrote :—

' The most prominent figure in Kabul at the moment is Fakhri Pasha who is in the Amir's closest confidence, and with his arrival Turkish influence has attained its zenith '<sup>2</sup>.

The news of Jemal Pasha's death reached Kabul in August, and was received with joy by the populace, who regarded him as largely responsible for the detested system of ' hasht nafri ' conscription.<sup>3</sup> There were at this time two sets of Turkish military instructors in Kabul ; the first those brought by Jemal Pasha under Zia Bey, and the second those who arrived with Fakhri Pasha. In September Jemal Pasha's scheme of army reorganisation appears to have been definitely discarded, and shortly afterwards his new formation, the ' Qita Namuna ', was disbanded.

October 2 was observed as a day of mourning for Jemal and Enver Pashas, but the shops in Kabul remained open as usual, and there were no signs of any public interest.

On October 9, a dinner was given to celebrate the Turkish victories, and all the diplomatic representatives were invited. In view of the official neutrality of Great Britain in regard to the Graeco-Turkish hostilities the British Legation did not attend.

On October 20, the Amir at Friday prayers announced the ratification of the Turco-Afghan Treaty. In spite of a display of mutual cordiality between the Amir and Fakhri Pasha, the impression that there had been considerable difficulties over the wording of the Treaty was confirmed by definite information.

On November 3, the military instructors who had come with Jemal Pasha left Kabul.

Those brought by Fakhri Pasha remained unemployed. Fakhri, at this time, quarrelled with Bedri Bey, Jemal's lieutenant, who was in high favour with the Amir, and assisting in the preparation of the Nizammama or Fundamental Code.

Bedri Bey died on May 7, 1923, and the omission of Fakhri Pasha to attend the funeral was resented by the Amir.

About the same time the relations between Fakhri Pasha and the Russian Legation appear to have become strained, partly owing to the murder in March of two Turkish officers in Russian territory.<sup>4</sup>

Fakhri Pasha continued to be unsuccessful in his efforts to get his military instructors employed.

In January 1924, on the ratification of the Treaty of Lausanne he called for the first time at the British Legation.

Events in Turkey tended to render him locally unpopular :—

' The abolition of the Caliphate was known in Kabul on March 5th..... In the Legations here the action of Turkey is generally condemned as ill-advised, and calculated to alienate still further the Afghan Government.....the pursuit of a Pan Turanian policy by the Turks, especially as it can no longer assume a Pan Islamic guise, would always threaten the continuance of cordial relations between the two Governments.'<sup>5</sup>

**274. Russia.**—Raskolnikov had succeeded Suritz as Russian Minister on July 16, 1921. The Bokharan crisis of 1922 has already been noticed. After the démenti of July 29, the promises to Afghanistan of a subsidy and material assistance made in the Russo-Afghan Treaty began to be fulfilled ; although

<sup>1</sup>Kabul despatch 48 (7-4-1924).

<sup>2</sup>Kabul despatch 11 (17-8-1922).

<sup>3</sup>Kabul despatch 2 (6-1-1923).

<sup>4</sup>Kabul despatch 9-A. (3-4-1923).

<sup>5</sup>Kabul despatch 48 (7-4-1924).

payments and deliveries appear to have been kept deliberately in arrear in order to ensure correct behaviour on the part of the Afghan Government. Thus at the end of the period under review (March 1924) out of the three million roubles due since March 1921, and the munitions believed to have been promised (*viz.*, rifles 7,500, guns 20, aeroplanes 12, and S. A. A. 15 million) deliveries were believed to have amounted to the first year's subsidy (one million roubles) 6,000 rifles, 12 guns, and 12 million rounds of S. A. A.<sup>1</sup> Of the guns delivered it may be noticed that 8 were reported to be 6 in. guns, requiring eight horse carts for their transport, and therefore of little practical use in Afghanistan. There was no indication of the rendition of the Panjdeh area, as provided by Article IX of the Treaty, nor had the smokeless powder factory been constructed.

It appeared that the Russian Legation had achieved no very tangible results, although there is reason to think that the funds which found their way to the Waziristan tribes during 1923 were largely drawn from Bolshevik sources<sup>2</sup>; and probably the Chamarkand colony received contributions from the same quarter.

In January 1923 it was reliably reported that the Russian Minister was making efforts to secure the admission of a Russian Archaeological Mission into Northern Afghanistan. These were however unsuccessful.<sup>3</sup>

Throughout 1923 Russo-Afghan relations remained outwardly friendly, although the dismissal of the Indian revolutionaries in October 1922 was 'a serious blow to Russian intrigue,'<sup>4</sup> and the Afghan press continued occasionally to warn its readers against what the 'Ittihad-i-Mashriqi' called 'the bloody flow of Bolshevism'.<sup>5</sup>

It was reported from Moscow in June, that 'strong resentment' was 'felt by the Afghan Government at the disloyal activities of M. Raskolnikov, who is alleged to be intriguing with seditious persons, with the object of encouraging disaffection within the country'.<sup>6</sup>

On October 2, 1923 Raskolnikov presented new credentials on his appointment as diplomatic representative of the reconstituted Federation of Soviets. He left Kabul on November<sup>7</sup>; M. Solovieff being left in charge of the Legation. The latter's invention of the British 'ultimatum' to Afghanistan has already been mentioned<sup>8</sup> and was possibly the reason for his recall.<sup>9</sup> He left Kabul on February 29, 1924.

**275. Bokhara.**—At the beginning of the period there was a Bokharan Legation with Hashim Shaq as Minister, while Usman Khwaja, an *ex*-President of the Bokharan Soviet, who had fled on being detected in intrigue with the Basmachis, was also in Kabul. In December 1922 Hashim Shaq, having been ordered, nominally by the Bokharan Government, to break off the pending negotiation of an Afghan Treaty with Bokhara, resigned as he saw 'no encouraging light on the horizon of his Central Government'. In June 1923 his successor Muhammad Sharif resigned, as 'Bokharan independence had ceased to exist'. The flag on the Bokharan Legation was then hauled down. The *ex*-Amir of Bokhara had arrived in April 1921, and become a pensioner of the Afghan Government.

In July 1923 he applied for permission to visit India, which, under the orders of His Majesty's Government, was refused.<sup>10</sup>

**276. America.**—Mr. Van Engert, a member of the American diplomatic service, visited Kabul in May 1922. His object was apparently to ascertain and report whether there were any openings for American trade in Afghanistan, and any justification for the appointment of an American Consul. His decision on both points appears to have been in the negative, and in conversation he remarked that the State Department would never encourage American nationals to reside in a country which had no civilised system of law.

Mr. W. B. Vanderlip, a company promoter of shady antecedents, reached Kabul in July 1922 and talked bigly of a project for a railway from Angora

<sup>1</sup>F.-322-F.-1923.

<sup>2</sup>Kabul despatch 11 (6-4-1923) and see para. 484.

<sup>3</sup>Diary M. A., Kabul 1923, 2 (2).

<sup>4</sup>Kabul despatch 2 (6-1-1923).

<sup>5</sup>Ittihad-i-Mashriqi, Oct. 10, 1923.

<sup>6</sup>Moscow despatch 428 (11-6-1923) [F.-188 (II) 66].

<sup>7</sup>Para. 265.

<sup>8</sup>Kabul despatch 48 (7-4-1924).

<sup>9</sup>Kabul tel. 117 (22-7-1923).

to Pekin via Persia and Afghanistan. After a short stay he left for Herat, to look for oil, it was said, and nothing more was heard of him.<sup>1</sup>

**277. China.**—On July 7, 1922 a Chinese Mission arrived in Kabul, and left again on August 30. About the same time one Muhammad Sharif Khan was sent by the Afghan Government to Chinese Turkestan with the object, it was believed, of negotiating a Trade Agreement with the Chinese authorities. Without the concurrence of the latter, he was then designated Afghan Consul-General, and establishing himself at Yarkand, successfully resisted the efforts of the Chinese Government to secure his withdrawal. His chief duties are understood to have been connected with the illicit traffic in Afghan opium; and it is possible that it is in this direction that the Afghan Government have found a market for their surplus stocks of this drug. Their anxiety on the point had been expressed at the Mussoorie Conference.<sup>2</sup>

**278. Persia.**—The Persian Minister, Itela-ul-Mulk, reached Kabul in January 1922. Though treated with great consideration by the Amir, he wielded little influence.

**279. The Corps diplomatique.**—If unanimity within the diplomatic body had been possible, concerted action on their part might in several instances have obviated many minor inconveniences which the Foreign Legations experienced in Kabul. Unfortunately however the Corps was divided into two camps, the Russian and the Turkish Legations on the one side, and the British and French, on the other, with the Italian and German Ministers anxious to keep on good terms with both, and the Persian Minister too timid to express himself at all.

**280. The employment of foreign personnel.**—In the employment of foreign personnel by the Afghan Government may clearly be seen—

‘One of the fundamental principles of the Amir’s policy by which, while Afghanistan is to be developed through the agency of foreigners, no single foreign country is to be allowed a position of predominance over the rest.’<sup>3</sup>

A makeweight to the French professors was formed in the German school under first, Professor Beck, and later Dr. Iven; the German doctors and engineers were balanced by the Italians of the same professions; the design for the new capital prepared by the German engineer Harten was revised by M. Godard, the French architect, and so on.

A similar principle seems to underlie the distribution of Afghan youths for purposes of education among foreign countries. The whole question of such education, and of British policy in regard to it was discussed in 1922 by the Minister in a despatch, in which he wrote:—

‘According to my information the total number of such students is now ninety-one; of which forty-eight are allotted to Germany, thirty-six to France, six to Italy, and one, the son of the ex-Foreign Minister, to England.<sup>4</sup>

Although the original idea appears to have been to hold the balance even between the various countries, as time went on, Germany seems to have come more and more into favour with the Afghan Government, both for the education of Afghan boys, and for the recruitment of technical personnel. One of the reasons for this preference may be found in the combination of cheapness and efficiency which Germany had to offer. Harten the German Engineer when he first arrived in Kabul was credibly reported to have been drawing Rs. 300. Kabul a month.

‘Considered collectively, these developments indicate a tendency on the part of the Afghan Government to form closer relations with Germany. As I have already reported, this is probably mainly due to reasons of finance. It is also possible that the Foreign Minister’s<sup>5</sup> personal admiration for German character and methods, and the influence of the present Afghan Minister at Berlin<sup>6</sup>, who was a member of his staff during his mission to Europe, have given a stimulus in the same direction.’<sup>7</sup>

The Afghan attitude towards the admission of personnel from Great Britain and Russia was, in view of the geographical proximity of these countries to Afghanistan, naturally more guarded. An instructive instance of this attitude

<sup>1</sup>Diary M. A., Kabul, 1922, 26 (7).

<sup>2</sup>Para. 97.

<sup>3</sup>Kabul despatch 25 (15-8-1923).

<sup>4</sup>Kabul despatch 9 (29-7-1922).

<sup>5</sup>i.e., S. Muhammad Wali.

<sup>6</sup>i.e., S. Ghulam Siddiq.

<sup>7</sup>Kabul despatch 25 (15-8-1923).

is afforded by the facilities given to Mr. Foucher, the French archæologist, and the refusal of them to Russian and British applicants.<sup>1</sup>

At this period such prejudices seem to have been less marked in the case of British, than in that of Russian, subjects. Russians were in superintending charge of the Kabul wireless, although the operators were Afghans; and were also engaged it was believed in the construction of a telegraph line in the neighbourhood of Herat. Both these cases would seem however to be covered by the supplementary clauses of the Russo-Afghan Treaty.

On the other hand there were few signs of antipathy on the part of the Afghan Government to the employment of British Indians, as such, although subsequently the careless recruitment of individuals by Afghan officials tended to discredit the whole category.

The main obstacle to the employment of British personnel by the Afghan Government seems to have been of a financial kind.<sup>2</sup>

The question of granting facilities to foreign employees of the Afghan Government, and particularly to ex-enemy nationals for transiting India engaged the attention of His Majesty's Government at this time.

The leading cases are those of Harten and Valyi but the discussions<sup>3</sup> are now mainly of academic interest, since the restrictions then enforced by the Government of India have since been relaxed; and no obstacles, apart from the requirements of the passport regulations, are in practice placed in the way of foreign nationals entering Afghanistan through India.

The Government of India, it will be remembered, had from the first questioned the wisdom of discouraging the expansion of Afghan relations with foreign powers.<sup>4</sup>

**281. Afghan internal policy.**—A signal instance of the Amir's disregard for family traditions was afforded by the release in August 1922 of S. Inayatullah Khan from the restrictions under which he had been placed after the 'Safi regiment plot' of June 1920.<sup>5</sup>

On the occasion of the Iduz Zuha of 1923 the Amir in a public speech declared:—‘These are the days of the pen not of the sword’,<sup>6</sup> and throughout the period under review he was impetuously constructing a road to Jalalabad by the impossible Tangi Gharu route, building a new capital on a grandiose scale, and sending Afghan boys to Europe for education. These projects, together with the maintenance of the Afghan Legations abroad, proved a heavy drain on the finances of the country, and economies were effected by sweeping reductions in the Army, and the enforcement of the ‘hasht nafri’ system of conscription, under which exemption could be purchased for Rs. 300. This fee was reported to have been raised during 1923, first to Rs. 500, and then to Rs. 600. Those who could not purchase exemption were nominally enlisted in the Army, but were in fact largely employed as labourers on the Amir's new capital and roads. In Kandahar, the enforcement of this system was openly opposed with some success:—‘At the end of January the Consul reported that of the quota of 4,330 recruits fixed for the Kandahar Division only 220 had been collected.’<sup>7</sup> The burden of conscription thus pressed most heavily on the poor and peaceful,

In spite of the crying need for economy, the Amir would not abandon his absurdly expensive system of diplomatic representation in European countries. On the contrary, at a council meeting in November 1922, he was reported to have explained that a reduction in expenditure was rendered imperative by the unexpectedly heavy cost of his Legations abroad, but that he regarded the diplomatic relations, which he maintained with the Powers through these Legations, as so efficient a safeguard against aggression by any one power as to justify the expense involved in their upkeep and a reduction of his military strength.<sup>8</sup> The wholesale displacement of Afghans in Government employ by

<sup>1</sup>Paras. 263, 274 and Kabul despatch 6 (10-2-1923).

<sup>2</sup>Para. 268.

<sup>3</sup>See tel. 1793 (8-5-1922), from S. of S., to Viceroy (A. S. VII 307). Kabul despatch 5 (27-5-1922). (*ibid* 421) and letter 730 173-F. (21-6-1922), from G. of I., to I. O. (*ibid* 451).

<sup>4</sup>Para. 167.

<sup>5</sup>Para. 105.

<sup>6</sup>Diary M. A., Kabul 1923, 29 (1).

<sup>7</sup>Kabul despatch 48 (7-4-1924).

<sup>8</sup>Diary of M. A., Kabul, 1922, 36 (1).

Europeans was highly unpopular<sup>1</sup>, and it is worthy of remark that the 'Aman-i-Afghan' could venture to express the opinion that Persians were 'the most suitable foreigners to employ', as they were accustomed to similar conditions as obtain in Afghanistan, and shared 'the habits and language of the Afghans'.<sup>2</sup>

A minor but significant instance of the Amir's autocratic disregard of local susceptibilities at this time was the demolition, which began in September 1923, of the garden walls in the residential quarter of Kabul:—

'As the destruction of property was apparently commenced without any warning a good deal of inconvenience has been caused. Even portions of the property of the Uly Hazrat, of Inayatullah, and of Nadir Khan were not exempted.'<sup>3</sup>

Such enactments as the prohibition of the use of gold and silver ornaments, and of the consumption of opium, charas and bhang, promulgated in 1923, were not likely to increase the Amir's popularity, if only on account of the added openings for speculation which they offered to the police.

The dislocation of administration caused by the sudden introduction of the new Administrative Code (Nizamnama), together with the disbandment of troops, led to an outbreak of violent crime in all parts of the country, which towards the end of 1923 reached serious dimensions. In Zamindawar there was an open rebellion.<sup>4</sup>

These disorders were the more dangerous since the reductions in the Army had reduced the Amir's resources for suppressing them.

In November 1923 the Frontier tribes were transferred from the charge of S. Nadir Khan, who did at least understand them, to that of S. Muhammad Wali whose ignorance of them was 'abysmal'.<sup>5</sup>

In March 1924 rumours began to be heard of trouble in Khost.

The situation was probably not much exaggerated by S. Nadir Khan in conversation with the British Minister on April 4, 1924:—

'First, the Amir had tried to push through his reforms far too precipitately. Afghans as a race were fanatical, bigoted and conservative, and it was unsafe to ride roughshod over their cherished customs and attempt to dragoon them into civilisation on the European standard. It was commonly believed by the people that the new Administrative Code violated the canons of Islamic law, and it was therefore extremely unpopular with the Mullahs and the orthodox party. Yet the Code had been suddenly introduced without any attempt being made to explain away doubts as to its validity..... Hatred and contempt for the Turks, on account of their treatment of the Caliphate question, was now general throughout Afghanistan, and the reforms connected with Jemal Pasha's name were for this reason still more suspect than before. (It is a matter of common knowledge that the Code was drafted by Bedri Bey, one of Jemal Pasha's following.)

Then again, he said, there might be seen any day in the streets of Kabul dozens of foreign doctors and engineers strolling idly about without employment..... There was no programme for the engineers, no plans to work on, and no tools to work with. Education was being run on the most haphazard lines, and money was being poured out like water..... Meanwhile the Army had been ruthlessly cut down, and the power of the State was scarcely able to cope successfully with the disorders which had arisen in the Provinces.'<sup>6</sup>

**282. Retrospect of the Period.**—As soon as the Amir had secured international recognition of his independence by a series of Treaties with Foreign Powers, he directed his attention to his own frontier. For the first nine months of 1922 he was occupied with the prospects of intervention in Central Asia, but met by strong action on the part of Russia, and receiving no encouragement from His Majesty's Government, abandoned this dream (paras. 209, 216—219).

He then turned to the Indian frontier. The advance to Razmak and intensive air operations in Waziristan gave him a handle for interference. Afghan intrigues in Waziristan were intensified, and as a result of various factors, including the general unsettlement of the tribes caused by the Amir's

<sup>1</sup>Kabul despatch 44 (2-11-1923).

<sup>2</sup>Diary of M. A., Kabul, 1923, 46 (10).

<sup>3</sup>Diary of M. A., Kabul, 1923, 37 (3).

<sup>4</sup>Kabul despatch 2 (3-1-1924).

<sup>5</sup>Ibid.

<sup>6</sup>Kabul despatch 52 (17-4-1924).

attitude, certain action in the tribal belt by the Frontier authorities, and relaxation of precautions formerly in force, a series of murders of British officers on the Frontier followed (paras. 229—240, 251, 254).

The Afghan Government were informed that their attitude was held to be unfriendly and provocative, and a consignment of arms purchased by them in Europe was detained at Bombay, under Article VI and Letter I of the Treaty (paras. 247, 250).

Certain demands were then made, the satisfaction of which would convince His Majesty's Government of the required change in the Afghan attitude. Fulfilment of these demands was marked by procrastination and evasion.

By March 1924, however, action of a kind sufficient to satisfy His Majesty's Government of the abandonment by the Amir of his previous attitude, had been taken, and the arms were released (paras. 251—258).

In November 1923 S. Nadir Khan, who was believed to have been the main obstacle to compliance with the British demands, was relieved of the charge of Frontier affairs by S. Muhammad Wali.

Meanwhile there were indications that the Amir's system of internal administration was causing serious discontent, and at the close of the period news was received of a rising in Khost (para. 281).

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## PERIOD V.

### CHAPTER XIV.

#### THE KHOST REBELLION AND AFTER (1-4-1924—30-9-27).

#### THE SITUATION IN THE NEAR AND MIDDLE EAST.

283. **Turkey.**—Anglo-Turkish negotiations regarding the future of Mosul began at Constantinople on May 20, 1924, and broke down on June 5. In accordance with the Treaty of Lausanne, the question was then referred to the League of Nations. An uneasy period followed during which Turkish troops were concentrated on the Mosul frontier, and disturbances fomented, with a view apparently to influence the decision of the League. This was eventually announced on December 16, 1925, and was followed by new British Treaties with Iraq,<sup>1</sup> and with Turkey, who agreed to recognise her existing frontier with Iraq and to receive £500,000, as compensation on account of petrol royalties.

The modification of the Turkish attitude in regard to Iraq was largely due to fears of Italian policy in Asia, and with the settlement of the Mosul question relations between Great Britain and Turkey steadily improved.

While the crisis had been at its height there had been a tendency in Angora towards a rapprochement with Russia, and on December 17, 1925, a pact was signed, providing for neutrality between these two powers in the case of action against either by a third. The peaceful solution of the Mosul question was certainly a diplomatic reverse for Russia. Turkish relations with Russia however remained friendly, and there appears to be a distinct 'Junker' party among the Turkish Nationalists, who favour closer relations with Russia and a policy of militarist expansion. On the other side is the party which looks westward to closer co-operation with the European nations in the peaceful development and economic reconstruction of Turkey, and inclines towards membership of the League of Nations, as affording an insurance against Italian aggression.

Expressions of the latter view are reported in Kabul despatch 11 of February 5, 1927,<sup>2</sup> and in Constantinople despatch 374 of July 13;<sup>3</sup> while it was evidently to the former party that S. Mahmud Tarzi was addressing his remarks, published by the 'Vaqt' on July 6, 1927:—

‘Afghanistan, Turkey, Russia and other Asiatic States are united by close ties. These ties will continue, for they are everlasting.’<sup>4</sup>

In the Kurdish revolt of February 1925, led by Sheikh Said with the professed object of restoring the Sacred Law of Islam, may be found a parallel to the Khost rebellion of 1924 in Afghanistan. The revolt was crushed, but, as in the case of the Khost rebellion, its objects probably commanded the sympathy of many who gave it no open support. The strength of the modernist movement was evidenced by the abolition of the *fez* in 1925, the passing of a law to come into force in 1926 abolishing polygamy, and the prohibition of the veil in Trebizond in 1926. In view of the strength of Turkish influence in Afghanistan,<sup>5</sup> which is likely to be increased by the Amir's forthcoming visit to Angora,<sup>6</sup> it is quite possible that attempts may be made, with far reaching results, to introduce similar reforms in Afghanistan.

284. **Russia.**—One of the first acts of the British Labour Government had been to accord *de jure* recognition to the Soviet Government, and in April 1924 an Anglo-Soviet Conference met in London, with a view to conclude a Treaty. On August 5, negotiations broke down, but, under pressure from the 'left' of the Labour Party, were renewed, and what the 'Times' called an 'ill-conceived and hastily concocted agreement' was actually signed. One of its articles covered the question of Bolshevik propaganda, and ran as follows:—

‘The contracting parties solemnly affirm their desire and intention to live in peace and amity with each other, scrupulously to respect the undoubted right of a State to order its own life within its own jurisdiction in its own way, to refrain and restrain all persons and organisations under their direct or indirect control, including any organisations in

<sup>1</sup>Para. 286.

<sup>2</sup>(A. S. XXI, 67).

<sup>3</sup>(A. S. XXII, 104).

<sup>4</sup>Constantinople despatch, 354 (6-7-1927) (A. S. XXII, 79).

<sup>5</sup>Para. 21.

<sup>6</sup>Para. 333.

receipt of any financial assistance from them, from any act overt, or covert, liable in any way whatsoever to endanger the tranquillity or prosperity of any part of the territory of the British Empire, or the Union of Soviet Socialist Republics, or intended to embitter the relations of the British Empire or the Union with their neighbours, or any other countries.'

The signature of this Agreement was followed by the disclosures in connection with the 'Zinovieff letter', and the fall of the Labour Government. The Conservative Government, which then came into power, repudiated the Agreement which accordingly became inoperative.

In the autumn of 1924, the Central Asian States were reconstituted as Republics under the names of Uzbekistan, Turkmenistan, etc., suggesting an ethnographical basis. Although these republics were nominally autonomous under their own Moslem officials, Soviet supervisors were, it is believed, appointed to each, and their professed independence seems to have had no existence in reality. The motive for their creation appears to have been a desire, partly to advertise the liberality of the Soviet's outlook in its foreign relations, and partly to provide a centre of attraction for future secessionist movements in North-eastern Persia, and Northern Afghanistan.

In April 1925, it was reported that the Uzbekistan Government had declared an amnesty to all peasants who had fled from Bokhara to neighbouring countries, and in September that its President had referred, in a public speech, to the time when Northern Afghanistan would be included in this Republic.

The conclusion of the Treaty of Locarno, with the admission of Germany to the League of Nations, was a serious diplomatic reverse for Russia, who sought to minimise it by the conclusion of a Treaty of Friendship with Germany in April 1926. The more marked her isolation in Europe became, the more she looked to the East for compensation, and in consequence her old policy, directed towards the formation of a *bloc* of Oriental States under her own hegemony, as a makeweight to the League of Nations, received an added stimulus. In this connection may be noticed the meeting at Angora in the autumn of 1926, of Persian, Chinese, Turkish, Russian and Afghan representatives; followed, ten days later, by conversations at Odessa between Tewfik Rushdi Bey and M. Tchitcherine. The same motive seems to underlie the Pacts concluded with Turkey in December 1925, with Afghanistan in August 1926, and with Persia in October 1927. The distrust of the League of Nations, which is consistently expressed in the Afghan press, is probably due to Russian inspiration. Thus the 'Aman-i-Afghan' of December 30, 1925, remarked that the weak could expect no justice at the hands of the League, and instanced the Mosul decision in support of this view.<sup>1</sup>

In May 1927, the 'Arcos' disclosures led to a rupture of diplomatic relations between Great Britain and the Soviet Government. The Afghan Foreign Minister was at once informed, and remarked that:—

'His Majesty's Government had in his view taken the only decision that was possible.....He felt that His Majesty's Government's decision was of serious import to Afghanistan, in view of possible repercussion on Russo-Afghan relations'.<sup>2</sup>

The rupture was clearly a matter of the first importance to the Afghan Government, the basic principle of whose policy is to exploit the mutual antagonism of Russia and Great Britain to their own advantage. It is true that the British Labour Government of 1924 had at first been welcomed in Afghanistan, as likely to adopt a less rigid attitude in Frontier affairs than its predecessors;<sup>3</sup> but the desire which that Government soon displayed for closer relations with Russia excited Afghan apprehensions that the old diplomatic leverage, which the Amir had hitherto brought to bear on both countries, was about to disappear.<sup>4</sup> The fall therefore of Mr. MacDonald's Government was probably not viewed with unmixed regret in Afghanistan; and the rupture of 1927 must have been entirely welcome.

There is more than one Anglo-Afghan problem in which the lack of diplomatic relations with Russia seems to preclude the possibility of a solution otherwise than through a direct bargain with the Amir, and so places the latter in a position of advantage.

**285. Persia.**—On the departure of the Shah for Europe in November 1923, the Valiahd became Regent, but the actual power lay in the hands of Reza Khan:

<sup>1</sup>and see Kabul despatch 97 (8-8-1924).

<sup>2</sup>Kabul tel. 79 (27-5-1927) (F. 605-X, 3).

<sup>3</sup>Para. 201.

<sup>4</sup>Ibid.

who was Prime Minister, War Minister, and Commander-in-Chief. In 1924 a Republican movement began which was at first supported by the Soviet Government. When however it became clear that the President of such a Republic could only be Reza Khan, who was the main obstacle to the progress of Bolshevik intrigues in Persia, the Soviet Government withdrew its support. At the Nauroz a telegram arrived from the Shah demanding Reza Khan's removal. The Army however threatened to march on Tehran unless Reza Khan was retained in office, and, after a few days of retirement, he accordingly returned to power.

His relations with Russia became outwardly more friendly during 1924, and in July a commercial agreement between Persia and Russia was concluded.

On October 31, 1925, the National Assembly announced the abolition of the Kajar dynasty. On December 13, the Fundamental Law was modified and the constitutional monarchy became vested in Reza Khan, with the title of 'Reza Shah Pehlevi', and his male descendants. Great Britain was the first foreign Power to recognise the new Shah. This dénouement was no doubt a setback for the Soviet Government, who seem to have favoured the deposition of the Kajar Sovereign as a preliminary to the formation of a Republic, but not as a step to the accession of Reza Khan. Reza Shah was crowned on April 26. These events were followed with close attention in Afghanistan:—

"The Amir..... added that the assumption by Reza Khan of the title of Shah had probably saved Persia from becoming a Soviet Republic, taking its orders from Moscow. He feared the same fate for his own country if the monarchy was ever overthrown."<sup>1</sup>

In February 1926, the Railway Bill was presented to the Majlis, and considerable interest aroused by the 'north south alignment' of the Mohammerah Tehran-Caspian line. A Bill authorising the construction of this line was eventually passed. Aerial services were instituted by the Junker Company.

In May 1927, the Persian Government informed Foreign missions that treaties, which formed the basis of claims to consular jurisdiction or extraterritoriality, would terminate on May 10, 1928.

In July Dr. Millspaugh, the American Financial Adviser, refused a renewal of his contract, and left Persia.

**286. Iraq.**—The constituent Assembly met for the first time on March 27, 1924, and proceeded to consider the Anglo-Iraqian Treaty. It was not until June 10, that the motion to ratify the Treaty was carried, coupled with strong recommendations that the Treaty should be amended as soon as possible, and a proviso that it should be null and void if the British Government failed to safeguard the rights of Iraq in the Mosul Vilayet.

By the end of April 1924 all but two of the Mujtahids<sup>2</sup> had returned, without arousing much further interest, to Iraq.

Early in 1925, some raids were made by the Akhwan of Nejd on the Iraq frontier, and dispersed by the British Air Force.

Throughout 1925, the question of the Northern frontier, and the deportations carried out by the Turks north of the 'Brussels line', were the main pre-occupations of the Government.

On January 13, 1926, a new Anglo-Iraqian Treaty was signed at Baghdad, in accordance with the decision of the League in regard to Mosul, which had been made contingent on the continuance of the mandatory authority of Great Britain in Iraq for a further period of twenty-five years, and the conclusion of a new Treaty to this effect.

In 1926, disturbances in Sulaimanieh assumed serious proportions, and military operations had to be undertaken against Sheikh Mahmud, the rebel leader. In June 1927, he made his submission to the Iraq Government.

**287. Morocco.**—In April 1925, Abdul Karim, the Riff leader, having compelled the Spanish to draw in their posts to a narrow strip along the sea, turned against the French, but after some initial successes was driven back. Arrangements were then made for joint operations against him by the French and Spanish Governments. Adjir fell in October 1925, and in the following May, Abdul Karim surrendered to the French. His career had aroused some interest in Kabul, and in July 1925, it was reported that prayers for his success were offered in a local mosque.<sup>3</sup>

<sup>1</sup>Kabul despatch 45 (26-6-1926) (A. S. XX, 97).

<sup>2</sup>Para. 198.

<sup>3</sup>Appx. to Kabul Diary (10-7-1925)

288. **Syria.**—With the advent to power of the Heriot Government in June 1924, General Sarrail<sup>1</sup>, a Socialist, was appointed High Commissioner. His disregard of local susceptibilities and refusal to recognise the heads of the Maronite Church led to the Druse revolt of July 1925. The bombardment of Damascus in October 1925 aroused resentment throughout the Moslem world. General Sarrail was replaced, in December 1925, by M. de Jouvenel, who adopted a conciliatory policy, and promised to grant constitutions to the States of the Mandated territory, as soon as peace was restored.

The elections to the constituent Assembly of Syria however led to riots, and the situation at Damascus continued uneasy. The report of the Mandate Commission of the League of Nations in 1926 contained some severe strictures on the French administration, and M. de Jouvenel was relieved of his post.

In May 1926 a pact of reciprocal neutrality, in the event of conflict with a third Power, was signed by the French and Turkish Governments.

289. **Hedjaz.**—King Hussein had abdicated in October 1924, and the Wahabis occupied Mecca. On the 1st November 1925 an agreement was concluded by a British Mission with Ibn Saud according him recognition, and defining the sphere of his authority. In December Ibn Saud entered Medina and Jeddah, where he was elected King of the Hedjaz on January 8, 1926.

A Pan Moslem Conference was held at Mecca in June, and was attended by delegates from the Sunnis of almost all countries, including Afghanistan. The somewhat uncompromising attitude of Ibn Saud proved disappointing to the Indian and Afghan delegates, and the 'Aman-i-Afghan' of September 17 remarked:—

'The first sittings were confined to procedure, after which 51 questions were discussed relating to sanitation, railway communications, religious freedom within Islam, etc. Unfortunately the majority of representatives were of the Nejdi sect, and so the only solutions reached were those agreeable to the Nejdi. This Conference, if held regularly, and attended by representative Moslems, should eventually be of value to the Moslem world.'<sup>2</sup>

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<sup>1</sup>Diary M. A. Kabul (10-12-1926).

## CHAPTER XV.

### THE SITUATION IN INDIA.

#### A. THE INTERNAL SITUATION.

290. **Communal discord.**—During the period under review the outstanding feature of the internal situation was the increase of communal discord.

The excitements of the non-co-operation campaign were followed, as a reaction, by comparative apathy on the part of both the educated classes and the masses in India in regard to purely political questions.

To this result a succession of prosperous years and the return to economic stability served to contribute. At the same time communal feeling, the growth of which during the preceding period has already been noticed<sup>1</sup>, became intensified, and led to many violent outbreaks throughout the country.

On September 9 and 10, 1924, riots occurred at Kohat, resulting in 155 casualties and the flight of the Hindu population. An agreement was only concluded between the two communities after lengthy negotiations, and the restoration of confidence was very slow.

The Unity Conference, which opened at Delhi on September 26, passed resolutions which at once proved infructuous, and the efforts of the administration to bring about a 'working understanding' between Hindus and Moslems, which would prevent outbreaks in future, had no more success. It was significant that the sub-committee of the 'All-India Leaders Conference', appointed to consider a solution of Hindu Moslem differences, found that no agreement was possible on any important point at issue between the two communities, and in February 1925 adjourned *sine die*.

It is unnecessary to detail all the outbreaks which have subsequently occurred. The rioting in Calcutta during April 1926, which was on an unprecedented scale and caused over 1,300 casualties, the Rawalpindi disturbances of June in that year, and the 'Rangila Rasul' agitation of 1927 with the subsequent murderous attacks on Hindus, are sufficient to show that the problem is as far from solution as ever.

The reactions of these occurrences on the political life of the country have been far reaching. Minorities throughout India have come to realise the dangers which would attend their subjection, under the Reforms, to the rule of a hostile majority; the fitness of a country so obviously divided against itself for further constitutional advance is now generally questioned, and the sympathy of foreign observers with the claims of Indian nationalism has tended to cool. The regularity with which, in judicial proceedings, the verdicts of assessors are given in favour of their co-religionists shows that communal feeling has penetrated even the sphere of the law, while in matters of local self-government it has become in many places almost impossible to secure impartial consideration of any question in which the interests of the two communities are opposed to each other.

The grouping and attitude of the Indian political parties have also been affected. The rejection of the Finance Bill by the newly formed Nationalist bloc in the Assembly at the first session of 1924 has already been mentioned.<sup>2</sup>

But, for various reasons, the foremost of which was the intensification of Hindu Moslem dissensions, the Nationalist Party soon began to show signs of internal disunion, and in September 1924 an Independent Party was formed under Mr. M. A. Jinnah.

On several questions the Independents voted against the Swarajist Party and with the latter's policy of indiscriminate obstruction falling into discredit the sessions of 1925 showed a modification of the Extremists' attitude, and some inclination on their part to work, rather than to wreck, the constitution.

With the Delhi Session of 1926 there came a lapse in the form of a 'walk out' by the Swarajists on the opening of the Budget debate. The reason given

<sup>1</sup>Para. 203.

<sup>2</sup>Para. 202.

was the refusal of Government to carry out the terms of a Resolution passed in February 1924, demanding immediate action for revision of the Government of India Act 'with a view to establish full responsible Government in India.' But many of those who 'walked out' in March 1926 must have been conscious that any claims to consideration which the Resolution may have possessed in 1924 had been seriously weakened by the communal outbreaks which had occurred since it was carried.

The passing in July 1925 of the Sikh Gurdwaras and Shrines Bill offered a solution of the Akali agitation, which had given a handle for seditious activities and endangered the peace of the Punjab for the previous four years.

**291. The economic situation.**—During the year 1924-25 the long expected trade revival began, and on February 28, 1925, the Finance Member estimated that a true recurring surplus of Rs. 2.68 crores could reasonably be expected. The Budget for 1926-27 anticipated a surplus of 3.05 crores.

**292. The Khilafat agitation.**—The abolition of the Caliphate had a paralysing effect, as has already been mentioned, upon the Khilafat agitation.<sup>1</sup> There was however one stick left with which the British Government might be feebly beaten ; King Hussein, denounced as a British puppet, was still in possession of the Holy Places. With the defeat of his son Ali by Ibn Saud, and the election of the latter as King of the Hedjaz in January 1926, this weapon too was removed ; and the Indian Moslem leaders, humbled by the cavalier treatment accorded by Ibn Saud to their representatives, thereafter tended more and more to devote themselves to domestic problems, and to their own communal interests.

**293. General.**—The general position of Great Britain in the East showed further improvement during the period under review. Outstanding causes of friction with Turkey have been removed. In Persia, if British influence has not definitely increased, Russian plans for the establishment of a republic have received a distinct check from the accession of Reza Shah. Iraq appears to be settling down contentedly under the mandate ; events in the Hedjaz have disarmed anti-British propaganda; and the campaigns in Syria and Morocco have tended to divert the force of such Panislamic agitation as still survives towards other Governments,

These results are appreciated in Afghanistan, but attributed to astuteness rather than good faith on the part of British statesmen :—

' Foreign policy is well handled by Great Britain in all cases ; although all the countries and nations mentioned above are hostile to Great Britain but can achieve nothing against her. .... Great Britain after all overcomes her rivals by setting them one against another, and thus achieves her purpose.'<sup>2</sup>

Similarly the British position in India has shown a marked improvement since the Kabul Treaty was signed in November 1921. The country was then suffering from a disastrous trade depression and the year 1921-22 closed with a deficit of 33 crores. The 'hijrat' agitation had left an aftermath of bitterness, and the Khilafat and non-co-operation movements were at their height. The steady improvement, which has occurred during the last six years in the economic and political position of the Indian Government, has robbed the Amir of much of the diplomatic leverage which he was able to exert in 1921.<sup>3</sup> To this result the consolidation of British control in Waziristan has largely contributed. The Afghan politician realises the change, but seems now to look forward to the time when, owing to the progressive weakening of the Central Government, communal tension will develop into civil war, and the Indian Moslem will look 'across the passes' to Afghanistan, whence cometh his help against the Hindu. That would be the opportunity which the Amir thought had come in 1919; for of the permanence of Hindu-Moslem dissensions the Afghan is convinced :—

' I know all this talk of Hindu-Muhammadan friendship is moonshine.'<sup>4</sup>

## B. SITUATION ON THE FRONTIER.

**294. Chitral.**—During this year the Mehtar started a scheme for converting his Maulai subjects to the Sunni faith. While some of these changed their religion, others left the country ; and in the face of the consequent agitation the idea seems to have been abandoned.

<sup>1</sup>Para. 202.

<sup>2</sup>The 'Ittihad-i-Mashriqi', July 19, 1925.

<sup>3</sup>Para. 68.

<sup>4</sup>S. Nadir Khan in 1921 (A. S. IV 773).

In April 1924 a flight of four aeroplanes visited Chitral.

295. **Dir, Swat and Bajaur.**—During 1923 the Mian Gul had conquered Buner, and in 1924, he overran the Khuda Khel territory. In February he made a tour of his territories by aeroplane.

He strengthened his position during the following year, but proved amenable to a warning that he should refrain from interference in Dir after the death of the Nawab on February 4, 1925. In April he expelled the Sandaki Mullah, who took refuge in Dir. On May 2, 1926, the Mian Gul was granted official recognition by the Government of India as Wali of Swat, with a yearly allowance of Rs. 10,000.

The favour shown to the Wali caused some discontent on the part of the Nawabs of Dir and Amb.

In August 1926 the Wali began inconclusive operations against the Indus Kohistanis.

Early in 1924 the anti-British propaganda carried on by Mullah Makhfī in Bajaur and Dir became intensified. He was arrested by the Nawab of Dir in May, and his movements restricted. A good effect was produced by the visit of a flight of aeroplanes to Dir in April.

Ex-Risaldar Rukn-ud-Din, the well known revolutionary of Bajaur, was arrested in India in April.

On February 4, 1925, the Nawab of Dir died, and was succeeded by his son Shah Jehan Khan, who was accorded official recognition on May 13, by the Chief Commissioner, N.W.F.P. at Chakdara. An uneasy peace between Dir and Swat has since been maintained.

296. **Mohmands.**—The Haji of Turangzai has lost influence during the period under review, and in July 1925 failed in his attempt to raise the upper Mohmands against the Khan of Khar. In September one of these sections, the Khwaezai, came voluntarily to Peshawar in order, they said, to establish good relations with Government.

The tribe remained quiet in 1926, but in April 1927 the Haji again became active, but his efforts to stir up trouble failed. In May however a new Fakir, of Alingar, proved more successful, and a small force of Koda Khel Usman Khel Baezai was collected under Muhasil. The Fakir failed at first to persuade the Haji to join his *jehad*, but then, receiving some support from him, attacked the blockhouses near Shabkadr on June 5. On June 6 a lashkar of 2,000 men arrived at Hafiz Khor, and were bombed by 20 aeroplanes on June 7 and 8. By June 9 the tribesmen had dispersed, having suffered it is believed some 70 casualties.

297. **Afridis.**—The return of Sultan Mir and Gul Akbar to Tirah put the practical value of the Shinawri agreement to the test, and had a marked effect on politics in Afridi country. Jirgas of Afridis and Orakzais were interviewed in April and July 1924, and denied the presence of the two criminals in their limits. They were warned that they would be summoned again after the Id (July 13), and that, if they did not carry out their undertakings, Government would have to take strong action.

In August a campaign of anti-British propaganda was begun by the Mullahs, who denounced recent interference by the Frontier authorities in tribal territory. Some fighting between the Mullahs' forces and the pro-British party followed.

During 1925 a lashkar of Tirah Jowakis and Adam Khel burnt the hamlet occupied by Sultan Mir and Gul Akbar, who were prevented by force from rebuilding their house. These two men however remained at large, and in October 1926 an ambush laid for them proved fruitless. On May 9, 1927 Gul Akbar was arrested in Peshawar City and was subsequently tried and hanged; Sultan Mir however not, at the close of the period under review, been arrested or expelled from Afridi territory. The Khyber railway was officially opened on November 2, 1925, the Afridis receiving a reward of Rs. 50,000 for their good behaviour during its construction.

In 1924 requests for Government support from the Shah Orakzais alarmed the Mullah Mahmud Akhundzada, who intensified his oppression of them. In July, a jirga of the Mishti Orakzais presented a petition that Government should take over their country, and the Mullah retorted by compelling them to agree to keep Sunni Mullahs.

In 1927 the trouble broke out afresh owing to quarrels among the Shiashs themselves, one party of whom appealed for help to the Mullah. In August, the Shiashs were expelled from Kalaya and the adjoining areas, after heavy fighting, by the Afridis in response to a summons from the Mullah, and 300 Shah families took refuge in the Kohat district.

These events caused considerable excitement in the Kurram.

In September, Afridi jirgas agreed to vacate the captured areas, on condition that the Sunni Orakzais, and especially Mullah Mahmud, should not be allowed to retain Shah land.

The attitude of the Sunni Orakzais however was unaccommodating.

In 1925 there was a recrudescence of the old Chora dispute and the Zakha Khel captured the fort. This they were subsequently compelled to abandon, but the quarrel led to hostilities between the Malikdin Khel and the Kambar Khel, who in March 1926 gained possession of the fort.

In December 1926 the Afridis asked for enhanced allowances in connection with the Khyber Railway.

In July 1927 the Chaknawar Mullah, on return from India, stayed at Landi Kotal, and preached on the subject of the 'Rangila Rasul' case, urging that Hindus and Sikhs in the Khyber should formally disown the action of Hindus in India, agree to wear red paggaris, and use pack saddles, under pain of being expelled from the Khyber.

The expulsion of some Hindus followed, and others fled to Peshawar of their own accord.

The question was discussed with the Afridi and Shinwari elders, who eventually agreed to allow the Hindus to return. The latter however showed considerable reluctance to do so.

**298. Waziristan.**—On April 18, 1924 a serious raid was carried out by the Abdur Rahman and Guri Khel Mahsuds at Saggoo, as a result of which eight persons were taken across the border. The Guri Khels submitted to the terms given them, and the captives were returned, but the Abdur Rahman Khels refused, and were bombed from the air on May 25 and 28. They then returned to Afghanistan.

On May 15 a large gang of Mahsuds ambushed a party of Frontier Constabulary at Manjhi, causing 14 casualties. The raiders were subsequently intercepted, and suffered in all 16 casualties.

In June the Razmak column marched from Razmak *via* Jandola to Sarwekai meeting with only slight opposition.

In July air operations were undertaken against the Shabi Khel, who finally paid the fine demanded on account of their past offences.

The Jandola-Sarwekai road was completed in September.

On December 27 a Mahsud jirga was seen at Tank, and agreed that the friendly Abdur Rahman Khel would be responsible for any collection of hostiles among them not exceeding 20, and for action against collections exceeding that number would apply to other sections for assistance.

A deputation from the hostile Abdur Rahman Khel was seen on January 16, 1925 but its demands were refused and this section, assisted by the Guri Khel, Marisai, and Faridai, committed a series of offences. Intensive air operations were carried on during March and April, and our terms were finally accepted.

In December 1925 they were granted a full amnesty.

In January 1926 the Chief Commissioner travelled in Mahsud country for the first time under Khassadar protection, visiting Razmak, Sarwekai, and Jandola.

The Razmak column paid a visit to Wana in April with practically no opposition, and throughout the year signs were apparent of the progress made in the pacification of the country.

The visit of the Viceroy to Razmak in October 1926 made a great impression on the tribes, and, as will be noticed later, in Afghanistan<sup>1</sup> this effect was confirmed by the tours on the Frontier made by the Secretary of State for Air in January 1927, and by the Commander-in-Chief in the following April.

<sup>1</sup>Para. 328.

By August 1927 the Resident was able to report :—

' The Mahsuds as a whole have, I consider, more or less accepted that fact that they have now definitely come under British rule.'<sup>1</sup>

299. **Baluchistan.**—The history of the Baluchistan border was uneventful during the period under review. A raiding gang under Murad Ali, a Marri, was reported to be out at the beginning of 1926, and to include Mian Dad and Gulab, the murderers of Captain Baker-Jones. It apparently dispersed without doing any damage.

The construction of the Hindubagh-Kila Saifulla section of the Fort Sandeman railway was begun on August 16, 1926, and completed by May 1927, when it was opened to passenger traffic.

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<sup>1</sup>Memo. 303 (11-8-1927), from Res., Waz., to N.-W. F. (A. S. XXII, 116).

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## CHAPTER XVI.

### NARRATIVE OF EVENTS.

300. **The Khost rebellion.**—The outbreak of the Khost rebellion may be dated from the middle of March 1924, when the first despatch of troops from Kabul was reported.<sup>1</sup>

On March 28, the Minister was informed by S. Muhammad Wali that the rebellion had 'subsided'<sup>2</sup>, but the statement was clearly incorrect; and the movement gradually grew in strength until, by August, the capital itself was threatened. Then official intrigues and bribery began to sow disunion among the rebels, who were further discouraged by the arrival in Kabul of two British aeroplanes sold to the Afghan Government, and the proof, given by this transaction, of British moral support for the Amir.

By January 30, 1925 when the 'Lame Mullah' was brought under escort to Kabul the rebellion had been crushed.<sup>3</sup> Its main features, so far as these could be gathered from vague and often conflicting reports, were described in despatches from Kabul as follows:—

'By the middle of April, the whole of the Southern Province was involved in the insurrection, and it then became vital for the Afghan Government, in order to localise the outbreak, and especially to prevent it spreading southwards to Ghazni, to ensure the loyalty of the Ghilzai tribes. For this purpose, Ghaus-ud-Din, son of Jahan Dad, the famous Ghilzai Chief, was summoned to Kabul, and, although a Government which executed his father must have had some qualms as to his loyalty, he was induced to detach the Ahmedzai Ghilzais by removing them of the Mangals' previous treachery towards them.'

In these discussions he was supported by two influential officials—Mahomet Ibrahim and Mahomet Usman Khan—who had been sent from Kabul for this purpose.

On April 22nd, Afghan reinforcements were ambushed, with some loss, at the Altumur Pass, which is the natural entrance to Khost from the direction of Kabul. By this time the garrisons of the Afghan outposts in Khost had either surrendered or been driven into the central forts of Gardez and Matun, which were then loosely invested.

The garrison of the Afghan post of Gurgurai took refuge at Lakka Tiga on the British side of the line, and later were permitted to recross with their arms into Afghan territory.

On the 23rd, Sardar Mahomet Wali left Kabul to take over command in the field.

On the 27th, near Gardez, the Qita Namuna, a regiment trained by Jemal Pasha's mission, anticipated an attack by the rebels and, getting in on their flank, defeated them with such disproportionate loss that the latter were driven to explain the reverse as due to treachery. By this success, Sardar Mahomet Wali, meeting with only nominal resistance, was enabled on May 1st to force the Altumur Pass, and to reopen communications between Kabul and Gardez.

These successes appear to have disheartened the rebels, who, on the approach of the Id (May 6th), dispersed to their homes.

On April 30th, two sons of ex-Amir Yaqub Khan, Sardars Abdur Rahman Khan and Abdullah Khan, were arrested in Parachinar. They were dressed as Ghilzai traders and were attempting to cross into Afghanistan, evidently in order to put themselves at the head of the insurrection.

About this time, a deputation of Mangal Maliks waited on the Political Agent, Kurram, and asked for assistance or asylum from the Government of India. Their requests were refused.

Mahomet Ibrahim and Mahomet Usman had by now been recalled to Kabul, where they were regarded as having been superseded by Sardar Mahomet Wali.

It was prematurely announced in India that the end of insurrection was in sight, whereas in reality the Id dispersal marked the close of only its first phase. The second opened some ten days later with a concentration against Matun. On May 22nd, the

<sup>1</sup>Kabul tel. 82 (18-3-1924) (A. S. XIII, 231).

<sup>2</sup>Kabul tel. 76 (30-3-1924) (A. S. XIV, 7).

<sup>3</sup>Kabul despatch 12 (14-2-1925) (A. S. XVII, 160).

fort was attacked and indecisive fighting continued for the next few days. On the 29th, the siege was raised, the withdrawal of the rebels being ascribed to bribery from Kabul. This may have been the case, but there is at least a possibility that their change of plan was dictated by a realisation that the true objective was Mahomet Wali's army, upon the decisive defeat of which the fall of Matuz would sooner or later follow automatically.

Meanwhile, hostilities had broken out at Mirzakka, to the north-east of Gardez, and an advance by the Government forces, intended apparently to re-open communications with Ali Khel, was repulsed with some loss on May 22nd.

The period of military inactivity which followed was spent in negotiations between Mullah Abdullah, the principal rebel leader, on the one side, and Sardar Mahomet Wali and the official Mullahs on the other. A report that the Amir had offered to suspend the operation of certain obnoxious articles of the Fundamental Code gave ground for hope that a settlement was in prospect.

About June 20th, negotiations broke down, and hostilities are believed to have been resumed about the 24th.<sup>1</sup>

During the first half of July little definite news was received regarding operations in the field. According to persistent rumour, however, disaffection was spreading gradually among the Ghilzais, of whom the Suleman Khel, the Sultan Khel, the Isa Khel and Ahmedzai were reported to have become more or less involved in the rebellion. The outbreak of fighting in the Kattawaz area, and the despatch of reinforcements in the direction of Ghazni, advertised the failure of the Government to localise the outbreak in the Southern Province. On the approach of the Id-uz-Zuha (July 13th), there was apparently a slight lull on which, however, the Afghan War Ministry built no hopes. Their apprehensions were immediately justified by the collision, which occurred on the day of the Id itself, between the Sultan Khel Ghilzais and one of the Qita Namuna battalions. The details of this operation have not been ascertained, but, whether through treachery or otherwise, the battalion engaged lost some 250 men and was withdrawn to Kabul. A second battalion of the same brigade, which apparently refused to serve beyond the three months for which it had originally been ordered on service, was recalled at the same time. Their success in putting out of action two of the best regiments of the Afghan regular army appears to have raised the morale of the rebels, as much as it lowered that of the city population. The Amir, however, still clung to his plan of conciliating the insurgents by an ostentatious acceptance of the resolutions of the Great Assembly, which was to meet on July 16th.

At this juncture, Abdul Karim, a slave-born son of the ex-Amir Yaqub Khan, escaped from surveillance in India and arrived in Khost as a claimant to the throne.....

Abdul Karim has never been anything more than a figure head, and was used as such by the Mullahs who really led the rebellion. But at the moment a figure head was precisely what they needed.....

At the end of July, a mixed body of Mangals, Zadrans and Ahmedzais cut the communications between Gardez and Kabul, and advanced into the southern end of the Logar valley. Abdul Hamid, Chief of the Staff.....was sent from Kabul to open the Altumur Pass. He apparently pushed forward in advance of his main body with some guns and a small escort, marched his men to a standstill at Bedak, and put out pickets for the night. These at once went to sleep, and the whole party was annihilated before dawn the next day (August 2nd), by the rebel force ; Abdul Hamid himself being killed, and the guns lost. Flushed with this success, the tribesmen pushed on to attack the main body and cut the Sar Nigabban regiment, or 'Lifeguards' to pieces at Pathkai ..... The news of these reverses threw Kabul into a panic, which was increased by the hurried despatch of raw conscripts in motor lorries to Hisarak, and the arrival some days later of the remnant of the Sar Nigabban regiment, mostly suffering from axe wounds. Certain quarters of the city were prepared for defence, and the wildest rumours were prevalent. The disasters at Bedak and Patkhai, however, finally awoke the Amir to a realisation that his position was really critical, and that the time had come to put forth his whole strength..... Emissaries were sent to raise the Khugianis, Mohmands, Shinwaris, Wazirs, and Hazaras, for a combined offensive on Khost from all quarters of the compass. The regular Afghan troops were henceforward used mainly to hold the approaches to Kabul, until the tribes could launch their attack. Sardar Ali Ahmed Jan, the chief delegate at the Rawalpindi Conference, was appointed to the Eastern Province as Naib-ul-Hukuma, and, by a lavish expenditure of money, at once succeeded in collecting considerable levies from Kunar and the districts surrounding Jalalabad. On August 11th, war was officially declared against the Mangals.

The energy shown by the Amir, and vigorous official propaganda to the effect that Ghulam Nabi had reopened the Altumur Pass partially reassured the bazar, which,

<sup>1</sup>Kabul despatch 84 (3-7-1924) (A. S. XV, 142).

however, relapsed into a panic on the sudden return of the Amir, and all the Ministries from Paghman on August 13th. The annual Festival of Independence had been fixed for the following day, and the fact that the celebrations were abandoned at 24 hours' notice increased the general alarm. The reason for this sudden decision is not yet certainly known. For some time past, there had been rumours that the Suleman Khel were preparing a picked body of 300 men to raid Paghman, and capture the Amir, and a minor raid had actually taken place near the Palace. It was generally conjectured, however, that the true reason was to be found in some threat to the Ghazni road, and consequently to the communications between Paghman and Kabul. Confirmation was received of this view on August 15th, when it was learnt that a body of Suleman Khels, reported as being 4,000 strong, were astride the Ghazni road and in occupation of Sheikhabad, 40 miles from Kabul. Fears were entertained that the populous Wardak district, in which Sher Ali's name still carried weight, would join the rebels, and that communications with Ghazni would be permanently cut in consequence.

On August 14th, a council of Mullahs was summoned to consider the declaration of a 'Holy War' against the rebels ; this, after considerable discussion, was eventually proclaimed. The legality of this step was apparently regarded as doubtful, and no religious enthusiasm for the war is noticeable in Kabul..... No one with whom I have discussed the local situation, as it existed from the 2nd to the 27th August, considers that during that period there was anything to prevent 5,000 well armed tribesmen from sacking Kabul ; in fact, my German colleague, whose nerve is beyond suspicion, put the required figure at 700 ! If Abdul Karim had pushed on immediately to Kabul after cutting up the Sar Nigahban regiment on August 4th, he would have met with no serious resistance, since the city was denuded of troops, while the civilian morale was deplorable. Men were hurried out to the Logar as soon as they could be equipped, and the strength of the garrison consequently varied from day to day, but it is believed to have frequently been below 500. Or if, as the Sheikhabad raid appeared to show was the case, Abdul Karim had decided to cut the main communications between Kabul and the rest of the country as a preliminary to an attack on the city, he would have had every chance of success. The event proved, however, that he had no plans, but was merely indulging in isolated raids which, though invariably successful, could not be decisive.

The most daring of these was carried out on August 23rd, at Tang-i-Waghjan, 28 miles from Kabul on the Logar road. Two strong Government pickets were wiped out by the usual night attack, and the rebels occupied the road, thus cutting off S. Shah Wali's force from Kabul, until the evening of the 26th, when, after considerable fighting, they were driven off. Before their retreat, they sacked a field hospital at Shikar Kila, killing some of the attendants, and carrying off the scanty stock of medical stores and dressings..... The Suleman Khels from Sheikhabad, instead of moving on Kabul, turned southwards to Ghazni, where, after some desultory fighting, they were eventually repulsed by the local garrison, aided by Hazara auxiliaries.

Meanwhile, on August 22nd,..... two British aeroplanes reached Kabul and were purchased by the Amir. On August 27th, Herr Weisz flew one of these to Hisarak. His unexpected appearance there is credibly reported to have broken up a rebel concentration, which was preparing for an attack on the Government forces, and it can scarcely be an accident that after this date the rebels made no further advance, while their morale gradually deteriorated..... On September 2nd, the rebels in the Logar sent messages to Shah Wali requesting a truce. The next day, Weisz, during a flight over the Hisarak and Wardak areas, dropped leaflets calling on the rebels to surrender before severer measures were taken against them. It is significant that on the back of these leaflets were printed details of the organisation of the Great Assembly. The rebels' request for a truce was recognised by the Government as actuated by a desire to gain time. Time, however, was just what the Government also required, and no effort was therefore made by the latter to bring the discussions to a close. These lasted intermittently until September 16th, when hostilities were resumed by an attack on the Kunari contingent under Mir Zaman Khan. This was finally repulsed by mid-day on September 17th with a loss to the rebels amounting, according to reliable information, to between four and five hundred killed. The Kunaris, to everyone's surprise, appear to have fought with great determination. It is probable however that by this time the Ahmedzais had ceased to take an active part in the operations. On August 16th, Sardar Sher Ahmed had informed me that Ghaus-ud-din, the Ahmedzai chief, had joined the rebels with a party of his tribesmen, who had recently received Government rifles. Doubts were soon raised, however, as to the reality of Ghaus-ud-din's defection, and on September 17th, Sardar Sher Ahmed admitted that it had been arranged by the Government, adding that Ghaus-ud-din himself had come into Kabul that day, and was being received in audience by the Amir..... The insurrection is not yet crushed ; but it seems at present that Abdul Karim's last hope of reaching Kabul vanished with the detachment of the Ahmedzais from his cause, and his request for the truce, which dragged on from September 2nd to

September 16th. The Government made full use of this respite, not only, as has been seen, to sow dissension in the rebel councils, but also to mature the plan for a converging attack upon Khost by the surrounding tribes. Thousands of recruits from the Kohistan and Ilazarat poured into Kabul. By the third week of September, news had been received of the advance of Shinwaris and Afridis from the Eastern Province and of Wazirs from the neighbourhood of the British frontier. The Altumur Pass is stated to have been recaptured on September 25th, and simultaneously a considerable success seems to have been gained by the Afghani force from Jalalabad. The arrival of tribal reinforcements at Pir Serai has enabled the Government forces, so long inactive, in the Chakmanni district to advance southwards for the relief of Matun. At the moment of writing they are believed to have reached Maidan Khula, and the rebellion shows every sign of collapse in the near future'.<sup>1</sup>

The record of the last four months<sup>2</sup> has been one of protracted negotiation between individual tribes on the one side, and individual Afghan generals on the other. The only active operations that have marked this period were a few isolated raids by Zadrans, in which Afghan regular troops were defeated, and suffered considerable loss in men, weapons, and treasure. The Mangal tribe of Khost made terms early in October, partly owing to the lavish distribution of blackmail by Afghan commanders, and partly owing to annual winter migration. Some of these tribesmen have fled to their cousins in the Kurram Valley to escape from the punishment which they expect to receive, in spite of the lenient terms nominally awarded them. The Zadrans, by whom Abdul Karim, the Pretender, and the Lame Mullah were being harboured, continued the struggle until the middle of December, and avoided submission by playing off one Afghan General against another, each Commander being anxious to secure for himself the whole credit for bringing this stubborn tribe to terms. Eventually the Zadran leaders agreed to accept the guarantee of safe conduct given to them by Mir Zaman, who was in command of the tribal levies of Kunar, and were induced to come into Kabul with this Pathan chieftain, to negotiate a settlement with the Amir..... Shortly after the return of the Zadrans to their homes, Abdul Karim was arrested in India, whither, according to his own account, he had fled through Tirah some weeks before; and on January 30th the Lame Mullah was brought into Kabul under an escort of household cavalry'.<sup>3</sup>

**301. Punitive measures.**—The punitive measures taken by the Afghan Government against the rebels after their defeat were described by Sir F. Humphrys as 'extremely moderate'. They consisted of the execution of seventy five prisoners, including the Lame Mullah, his three sons and son-in-law and Sher Baz a malik of Matun, and the deportation of some Ahmadzai Ghilzais of Altumur to Turkestan.<sup>4</sup>

**302. Causes of the Khost Rebellion.**—The account already given<sup>5</sup> of the internal situation in March 1924 shows that serious trouble was then brewing in the provinces. In Kabul despatch 84 of July 3, 1924<sup>6</sup> it was suggested that the chief reasons for the prevalent discontent were to be found in the 'hashtnafri' system of conscription, the introduction of the 'Nizamnamma' or Fundamental Code, and the introduction of female education.

This estimate was in the main confirmed by the decisions of the Great Assembly held at Paghman in July 1924:—

- '(1) Abolition of conscription not agreed to, but exemption fees to be reduced to Rs. 300 Kabuli, with alternative of producing substitute.
- '(2) Female education to be restricted to girls under 12 years of age.
- '(3) All courts to follow religious law; clauses of Fundamental Code, relating to marriages, right of girls to select husbands, and number of wives admissible to be cancelled forthwith.'

And in July 1925, the Minister, referring to a previous despatch in which the rebellion had been ascribed mainly to

'the Amir's impetuous efforts to impose an alien civilisation upon a backward and fanatical people',

wrote

'while entirely agreeing with this diagnosis I consider it necessary to lay particular stress upon certain aspects of that alien civilisation, which, without being essential to progress, were particularly obnoxious to Pathan sentiment. My opinion.....is that a large

<sup>1</sup>Kabul despatch 124 (2-10-1924) (A. S. XVI, 207).

<sup>2</sup>i.e., October 15, 1924—February 15, 1925.

<sup>3</sup>Kabul despatch 12 (14-2-1925) (A. S. XVII, 160).

<sup>4</sup>Kabul tel. 65, (25-5-1925) and 72, (4-6-1925). (A. S. XVIII, 76 and 95).

<sup>5</sup>Paras. 264, 281.

<sup>6</sup>(A. S. XV, 142.)

<sup>7</sup>Kabul tel. 144, (4-8-1924), (A. S. XV, 213).

proportion of the reforms introduced by the Amir left the Ghilzais and other Pathan tribes quite indifferent. The admission of foreigners, the construction of telegraph lines, and other signs of progress did not affect them, and even the enforcement of conscription was no new thing against which they considered themselves obliged to fight to the death. What they really felt to be unendurable were the provisions in the new Fundamental Code which guaranteed certain rights and status to women, and deprived the father and the husband of his power to dispose of his daughter and wife in whatever manner he pleased.<sup>1</sup>

### 303. Consequences of the rebellion.

#### 1. Financial Exhaustion :—

'The most striking effect is complete financial exhaustion,.....so far as the current resources of the State are concerned. There is literally no money in the State Treasury ..... The total cost of the rebellion according to various trustworthy accounts is already estimated at ten to twelve crores of Kabuli rupees, which is approximately equal to five million pounds sterling, or more than twice the annual cost revenue of the State..... I am informed that he has already directed to abandon as impossible.....two schemes..... The first is the transfer of the capital from Kabul to Dar-ul-Aman.....the second is the building of a new road to India through the Tang-i-Gharu gorge.'<sup>2</sup>

#### 2. Internal disunion :—

'The rebellion has also served to demonstrate to the world the internal weakness of Afghanistan, and the lack of any national cohesion among the component parts.'<sup>3</sup>

#### 3. Discredit of the Afghan Army :—

'The Afghan Army has been totally discredited by its failure to make any headway against ill-armed and badly led tribesmen..... The Mangals and Zadrans, with the rebellious sections of the Ghilzais, will no doubt harbour feelings of deep hostility for many years.'<sup>4</sup>

#### 4. Deterioration of administration :—

'Owing to the preoccupation of the Central Government with the situation in the South, and the absence on active service of many of the most capable officials, the general administration of the Provinces has fallen considerably below even the low standard which is ordinarily maintained..... Broadly speaking therefore, it may be said that the Amir's authority is temporarily dominated by the mullahs in the capital, is still doubtful in the Southern Province, and appears to be weak in the more distant provinces of Turkestan, Herat, Kandahar..... On the other hand he has strengthened his position in the Hazarajat, and by the lavish distribution of rewards, has awakened the loyalty of some of the Pathan tribes on his Eastern border.'<sup>5</sup>

**5. Check to schemes for moral and educational progress.**—At an early stage of the rebellion charges of heresy, as evidenced by his programme of modernist reform, were brought against the Amir.<sup>6</sup> It was no doubt in order to meet this charge and vindicate his orthodoxy, that he abandoned his principles of religious moderation, and permitted the brutal execution, by public stoning, of Maulvi Niamatullah on September 1, 1924,<sup>7</sup> and of two other Qadianis on February 5, 1925.<sup>8</sup>

An informal representation on the subject was made by Sir F. Humphrys.<sup>9</sup> It was considered by His Majesty's Government that this was all that could be done in the matter.<sup>10</sup>

Khalifat-ul-Masih appealed for a protest to be made to the Afghan Government,<sup>11</sup> but it was not considered advisable to inform him of the action already taken by the Minister.<sup>12</sup>

The Amir's schemes for female education and emancipation also appear to have been modified, at any rate for the time being.

<sup>1</sup>Kabul despatch 56, (17-7-1925), (A. S. XVIII, 205) and see para. 21.

<sup>2</sup>Kabul despatch 12 (15-2-1925), (A. S. XVII, 160).

<sup>3</sup>Ibid (and see para. 8).

<sup>4</sup>Ibid.

<sup>5</sup>Kabul despatch 12, (15-2-1925), (A. S. XVII, 160).

<sup>6</sup>See tels. G-39, (30-4-1924), from Waz., to G. of I., (A. S. XIV, 151), 154, (1-5-1924), from N. W. F., to G. of I., (A. S. XIV, 156), and Kabul tel. 165, (27-8-1924), (A. S. XVI, 16).

<sup>7</sup>Kabul tel. 294, (2-9-1924), (A. S. XVI, 38), and despatch 124, (2-10-1924), (*ibid*, 207).

<sup>8</sup>Kabul tel. 24, (6-2-1925), (A. S. XVII, 146).

<sup>9</sup>Kabul tel. 26, (13-2-1925), (*ibid*, 152).

<sup>10</sup>F. O. tel. 10, (27-2-1925), (*ibid*, 177).

<sup>11</sup>Tel. 651, (27-2-1925), from S. of S., to Viceroy, (*ibid*, 178).

<sup>12</sup>Tel. 241, (3-3-1925), from Viceroy, to S. of S., (*ibid*, 185).

' He appears to have decided that public opinion was too strongly against female education to justify him in touching so thorny a subject.'<sup>1</sup>

**304. British assistance to the Afghan Government during and after the Rebellion.**—1. In May a deputation of Mangals waited on the Political Agent, Kurram, asking that the sons of Yekub Khan should be allowed to enter Afghanistan and that they should be assisted in hostilities against the Amir, or, if they were defeated, that they should either be allowed to settle in British territory, or given passage to Tirah with their arms.<sup>2</sup>

The first three requests were summarily refused, and the Amir expressed his gratitude for this action.<sup>3</sup>

2. The Political Agent, Kurram, supplied the local Afghan Commander with barbed wire, medicines, Very lights, etc., warned the Kurram Mangals against joining in the rebellion, and gave asylum to certain Chakmannis and Wazir colonists, who had been assisting the Afghan Government.<sup>4</sup>

3. The supply of two aeroplanes on payment to the Afghan Government. These machines were flown to Kabul by British pilots on August 22, 1924,<sup>5</sup> and their arrival did much to restore morale in the city.<sup>6</sup> Subsequent flights by Weisz the German pilot produced a useful impression on the rebel forces.<sup>7</sup>

4. The supply on payment of 30 Lewis guns and 3,000 rifles with ammunition.<sup>8</sup>

5. The offer of facilities for the purchase in India of motor lorries and cars required by the Afghan Government.<sup>9</sup>

6. The unfortunate escape of Abdul Karim gave an obvious opening for aspersions on British good faith, and Abdul Karim himself pretended that he was in receipt of British support.<sup>10</sup> This claim was at once refuted by a communiqué from Simla, in which he was denounced as a bastard and a wastrel,<sup>11</sup> and completely disowned. On his return to India he was arrested and interned in Burma.

7. Vigorous steps were taken to discourage a renewal of hostilities by the Powindah tribes on their return to Afghanistan from India in the spring of 1925, and to render the refugees from Khost incapable of doing further mischief.

In spite of these incontestable proofs of British sincerity, the Afghan Government were unable to deny themselves the advantage of representing Abdul Karim as the tool of the infidel, and therefore the lawful objective of a holy war :—

' At the present juncture, he said, the necessity of discrediting Abdul Karim outweighed everything else, and the best chance of success in this direction lay in making it known that he was acting as the tool of the unbeliever ; otherwise, as I had guessed, Kabul would refuse to accept the declaration of a holy war as in any way justifiable.'<sup>12</sup>

This propaganda seems to have proved successful :—

' The traditional hostility to the British and suspicions of their dark designs upon Afghan independence have been revived among both official and non-official classes as the result of the rebellion. Abdul Karim is generally believed, by those who are not in a position to know the true facts, to have been instigated by the Government of India..... Such an idea is wholly illogical, and to an impartial mind is sufficiently refuted by the assistance given to the Amir by His Majesty's Government ..... But the suspicion has been sedulously fostered in the public mind by official propaganda.'<sup>13</sup>

The steps taken by the Government of India to prevent a recurrence of the rebellion in the spring of 1925, and the assistance afforded to the Afghan Government in the case of the Gurbaz refugees in 1927 are described elsewhere.<sup>14</sup>

<sup>1</sup>Kabul despatch 11, (1-2-1926), (A. S. XIX, 218).

<sup>2</sup>Tel. 1341, (13-5-1924), from N. W. F., to G. of I., (A. S. XIV, 227).

<sup>3</sup>Kabul tel. 163, (19-5-1924), (*ibid*, 260).

<sup>4</sup>Tel. 219, (8-8-1924), from N. W. F., to G. of I., (A. S. XV, 225).

<sup>5</sup>Tel. 1324, (22-8-1924), from Viceroy, to S. of S., (*ibid*, 301).

<sup>6</sup>Kabul despatch 103, (29-8-1924), (A. S. XVI, 44).

<sup>7</sup>Kabul despatch 124, (2-10-1924), (*ibid*, 207).

<sup>8</sup>Tel. 42, (16-9-1924), from F. O., to Kabul, (*ibid*, 100).

<sup>9</sup>Kabul tel. 168, (2-9-1924), (*ibid*, 36).

<sup>10</sup>Tel. 139, (16-8-1924), from N. W. F., to G. of I., (A. S. XV, 274).

<sup>11</sup>Kabul despatch 95, (5-8-1924), (*ibid*, 260).

<sup>12</sup>Kabul memo. 904, (20-9-1924), (A. S. XVI, 130).

<sup>13</sup>Kabul despatch 12, (14-2-1925), (A. S. XVII, 160).

<sup>14</sup>Para. 502.

**305. Anglo-Afghan relations on the Frontier. (a) Arrear cases.**

**The Landi Kotal murder.**—At the opening of the period Daud Shah was reported to be under the protection of Muhasil, Koda Khel, and not definitely within the Amir's jurisdiction, but later was believed to be paying occasional visits to Chaknawar and Nazian in Afghan territory ; where he was stated to enjoy some prestige as a ' Ghazi.'<sup>1</sup>

The Minister wrote :—

' It is known that the Amir has himself a heavy score to settle with Daud Shah, and I have drawn the attention of the Afghan Government to the case.'<sup>2</sup>

In August 1927 Daud Shah was stated to have accompanied the Afridi lashkar which captured the Shiah lands at Kalaya.

**306. The Kohat Gang.**—Sultan Mir and Gul Akbar, on the surrender of the rest of the gang to the Afghan authorities, had returned to the Indian side of the border.<sup>3</sup> In December 1924 Sultan Mir was reported to have participated in a raid,<sup>4</sup> and in August 1927 to have been present with the Afridi lashkar at Kalaya. Gul Akbar was arrested in Peshawar in May 1927, and hanged.<sup>5</sup>

On May 20, 1924 the Minister obtained from the Afghan Government

' A written acceptance of the conditions in respect of Ajab, Shahzada, and Haidar Shah, as prescribed in note No. 307 of 18th September 1923, for the deportation of the Kohat gang. Assurance is given that Gul Akbar and Sultan Mir will also be deported to Turkestan immediately, should they enter Afghanistan. It was stated that place of internment, which is not intimated, could not be fixed till Wali returns. It was agreed orally by officiating Foreign Minister that it should not be Mazar-i-Sharif..... It seems that no exception can be taken to omission of names of Alam and Abdul from this letter, since the demand of note 307 did not apply to them though Afghan Government will be held to promise made by Wali regarding Alam.'<sup>6</sup>

On September 18, the question of the place of internment was discussed by the British Representative with the Foreign Minister,<sup>7</sup> and it was finally agreed by His Majesty's Government that Mazar-i-Sharif should, for reasons put forward by the Governor, be accepted as the place of internment.<sup>8</sup>

In August 1925 the Minister wrote :—

' Ajab is said to have been imprisoned recently at Mazar-i-Sharif, but no specific charge against him by the Afghans is known. It is possible that he was placed under temporary restraint in order to guard against any untoward incident during the visit of the British Military Attaché.'<sup>9</sup>

In July 1927 it was rumoured that Ajab had escaped from Turkestan,<sup>10</sup> but no confirmation of the report was received.<sup>11</sup>

**307. The murderers of Major Finnis.**—Of these six murderers, Musagai and Landak had been arrested and sentenced, Misri was killed in the Khost rebellion, and the other three, although for the most part in Afghan territory, admittedly spent some time in the Wana area.<sup>12</sup> The Minister proposed to demand their permanent expulsion to British territory as an alternative to their deportation to Turkestan,<sup>13</sup> but the Government of India considered that such a demand could hardly be made until action had been taken on the British side of the line, but had no objection to the Minister's proposal if he considered it advisable.<sup>14</sup> His Majesty's Government agreed.<sup>15</sup> The Resident in Waziristan and the Chief Commissioner thought it would be better to confine the demand to ' discontinuance of favours, e.g., Gul Din's allowance and Angur's rank and pay '<sup>16</sup>, and the Government of India left the point to the Minister's discretion.<sup>17</sup>

<sup>1</sup>Diary M. A., Kabul.

<sup>2</sup>Kabul despatch 72, (29-8-1925), (A. S. XVIII, 295).

<sup>3</sup>Para. 252.

<sup>4</sup>Tel. 320, (12-12-1924), from N. W. F., to G. of I., (A. S. XVII, 43).

<sup>5</sup>Para. 297.

<sup>6</sup>Kabul tel. 110, (21-5-1924), (A. S. XIV, 271).

<sup>7</sup>Kabul despatch 114, (19-9-1924), (*ibid*, 141).

<sup>8</sup>Tel. 48, (21-10-1924), from F. O., to Kabul, (A. S. XVI, 256).

<sup>9</sup>Kabul despatch 70, (29-8-1925), (A. S. XVIII, 295).

<sup>10</sup>Tel. 270, (13-7-1927), from N. W. F., to G. of I., (A. S. XXII, 37).

<sup>11</sup>Kabul tel. 113, (16-7-1927), (*ibid*, 41).

<sup>12</sup>Letter 1648, (28-3-1925), from P. A., S. Waz., to Res. Waz., (A. S. XVIII, 19).

<sup>13</sup>Kabul tel. 64, (22-5-1925), (*ibid*, 73).

<sup>14</sup>Tel. 593, (26-5-1925), from Viceroys, to S. of S. (*ibid*, 75).

<sup>15</sup>F. O. tel. 19, (24-6-1925), (*ibid*, 147).

<sup>16</sup>Tel. 1636, (13-6-1925), from N. W. F., to G. of I., (*ibid*, 110).

<sup>17</sup>Tel. 725, (13-6-1925), from G. of I., to Min. Kabul, (*ibid*, 114).

In April 1926, the Resident in Waziristan reported :—‘ The three surviving Finnis murderers have apparently been dismissed.’<sup>1</sup>

Gul Din and Angur, however, appear to have retained their rank.<sup>2</sup>

**308. The murderers of Captain Baker Jones.**—By March 1924 Miandad had been brought to Kabul for deportation to Turkestan, but seems to have remained there for some months forgotten by the Afghan authorities.<sup>3</sup>

He was eventually deported, and indications were forthcoming that Gulab, the second murderer, was to follow him.<sup>4</sup>

By February 1925 Gulab was reported to have been sent to join Miandad in Turkestan, and the case was consequently regarded as settled.<sup>5</sup>

In April, however, it was intimated by the Afghan Foreign Minister that Miandad had escaped, and that stringent orders for his rearrest had been issued.<sup>6</sup>

Nothing further was heard of this case, and presumably Miandad remained at large.

**309. Afghan intrigues in Waziristan.**—Demands for the cessation of Afghan intrigue in Waziristan as manifested by—

(1) the enlistment of Militia deserters, and

(2) the employment of British tribesmen as Khassadars in the neighbourhood of the Durand Line,

had been made in the British Note (307 of September 18, 1923), and substantial compliance with these demands held to have been effected by March 1924, when the Afghan arms were released.

The questions are discussed in detail elsewhere, and it is sufficient to mention here only the bare outline of their history during the period under review.

(1) *The Militia deserters.*<sup>7</sup>—These were apparently reenlisted during the Khost rebellion, but, according to their own account, had all been permanently dismissed by April 1925.

(2) *The Afghan Khassadars.*<sup>8</sup>—The unsatisfactory character of the disbandment of these Khassadars in December 1923, was clearly shown in the correspondence of the time. During the Khost rebellion it was impossible to distinguish between Khassadars and ‘Alijaris’, but as late as October 1926 the Government of India were satisfied that the Khassadars were being retained as ‘forces *in esse not in posse*’, and the Minister made an oral protest on the subject at his farewell interview of February 23, 1927, when the Amir maintained that they had not been re-employed.

If the information of the local officers on the point is correct, it is at any rate clear, from the recent history of Waziristan, that the maintenance of these Khassadars in their present form has proved a singularly ineffective obstacle to the consolidation of British control.

**310. Allowances and Jirgas.**—But the requirements of ‘neighbourly relations’ were not held to be restricted to the demands made in Note 307, and the two closely connected questions of Afghan allowances to British tribesmen,<sup>9</sup> and the attendance of the latter at Afghan jirgas are prominent in the correspondence of the period.<sup>10</sup> The Amir was clearly informed of the British attitude in regard to both of these points. On April 3, 1924 he gave certain undertakings in regard to them, reserving the settlement of the whole question for the next Treaty negotiations. Since that date the accepted policy has been to make protests, without discussing the principle involved, when any flagrant breach of the Amir’s undertakings appears to have occurred. Accordingly when, in September 1926, Musa Khan was reported to have received a large

<sup>1</sup>Memo. 403, (25-4-1926), from Res. Waz., to N. W. F., (A.S. XX, 18).

<sup>2</sup>Ex. letter 605, (28-6-1926), from Res. Waz., to N. W. F., (*ibid*, 101).

<sup>3</sup>Kabul despatch 84, (3-7-1924), (A. S. XV, 242).

<sup>4</sup>Kabul memo. 816, (27-9-1924), (A. S. XVI, 183).

<sup>5</sup>Kabul despatch 12, (15-2-1925), (A. S. XVII, 160).

<sup>6</sup>Kabul despatch 56, (8-5-1925), (A. S. XVIII, 37).

<sup>7</sup>Para. 510.

<sup>8</sup>Paras. 485—489.

<sup>9</sup>Paras. 466—484.

<sup>10</sup>Paras. 490—494.

payment, a protest was made by Sir F. Humphrys both to the Foreign Minister and to the Amir ; and a warning was given in regard to certain Afridis who were interviewed by the Governor of Jalalabad.

**311. The Duzdap Raid by Shahjui Wazirs.**—It has been mentioned that a party of Wazirs from Shahjui raided in the neighbourhood of Duzdap in December 1922 and January 1923. The case had not been taken up with the Afghan Government when demands had been made in connection with the other outrages committed by these Wazirs, and in April 1924 the Minister reported that it would be impolitic for him to make any claim for property lost by Hazaras in view of the sensitiveness of the Afghan Government on the subject of Hazara nationality, while the Persian Minister considered that the question of losses suffered by British Indian subjects on Persian soil should be put forward by himself.<sup>1</sup>

His Majesty's Government approved these proposals and added that material should be supplied to the Persian Minister to rebut the allegations of the Afghan Government that they were not responsible for the Shahjui Wazirs.<sup>2</sup> The Persian Chargé d'Affairs was addressed accordingly,<sup>3</sup> and represented the case to the Afghan Government, but without success.

### 312. Anglo-Afghan relations on the Frontier. (b) Current affairs.

**Chitral.**—The Afghan Government agreed in February 1927, that the long-standing dispute in regard to the Indo-Afghan boundary in the neighbourhood of Arnawai should be referred for settlement to a Joint Commission.<sup>4</sup>

This Commission however has not yet met.

In March 1927 the right of collecting revenue from Ramram, in the neighbourhood of Dokhalim, was claimed by an Afghan official.<sup>5</sup>

**313. Dir, Swat, and Bajaur.**—The subject of 'Afghan and Bolshevik intrigues' in Dir and Bajaur was discussed by the Chief Commissioner in correspondence with the Government of India early in 1924.<sup>6</sup>

In September and October of that year the Fanatic Colonies at Chamarkand and Samasta were reported to have sent small contingents to assist the Amir against the Khost rebels.

It was perhaps in recognition of these services that the Amir showed special favour to the representatives of these colonies who were present at Jalalabad in March 1925, a proceeding which evoked a protest from Sir F. Humphrys.<sup>7</sup>

In 1926 Maulvi Bashir ousted his rival Fazl Ilahi as leader of the Chamarkand Colony, but seems to have maintained connection with the Soviet Legation at Kabul.

**314. Mohmands.**—Early in 1924 the Haji of Turangzai and his son Badshah Gul lost influence, being accused of misappropriating a lakh of rupees granted from Kabul as allowances to the tribe.

Badshah Gul was also unpopular owing to his co-operation with the Afghan Government in connection with the death of Ardali, the Landi Kotal murderer. A few Maliks of the unassured clans attended the Great Assembly held at Paghman in July.

**315. Mohmands assist Amir in the Khost Rebellion.**—About 1,000 Mohmands are believed to have reached Khost in the autumn of 1924 at the invitation of the Afghan Government to assist them against the rebels.

They were dissatisfied with the rewards given them by the Amir ; and some unrest resulted from this cause, and from punitive action taken by the Afghan against recalcitrant sections, particularly the Mama Khels, whose lands were confiscated.

A friendly warning on the subject was given by Sir F. Humphrys to the Afghan Foreign Minister.<sup>8</sup>

<sup>1</sup>Kabul tel. 94 (24-4-1924), (A. S. XIV, 108-A).

<sup>2</sup>F. O. tel. 32 (28-7-1924), (A. S. XV, 186).

<sup>3</sup>Letter 1029 (18-11-1924), from Min. Kabul, to Persian C. d'A., (A. S. XVII, 29).

<sup>4</sup>Kabul tel. 29 (23-2-1927) (A. S. XXI, 76).

<sup>5</sup>Memo. 1499 (16-7-1927) from N.-W. F. to G. of I. (A. S. XXII, 51) and see para. 371.

<sup>6</sup>Memo. 328 (2-2-1924) and Ex. letter 913 (28-3-1924), from N.-W. F. to G. of I. (A. S. XIII, 5 and XIV, 6).

<sup>7</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>8</sup>Kabul memo. 551|1 (4-10-1926), (A. S. XX, 251).

**316. The Mohmand trouble of 1927.**—In April 1927 a threatening movement by the Haji of Turangzai was reported to be supported by Afghan Mohmands, and the advisability of a representation to the Afghan Government on the subject was mooted. However, as the trouble died down as quickly as it began, the necessity for any such step disappeared.<sup>1</sup>

The Chief Commissioner in a report of the June operations against the Fakir of Alingar<sup>2</sup> remarked :—

' I should like to emphasise, however, that, as far as can be ascertained, the Fakir of Alingar had no backing or instigation from the Afghan side ; and Muhasil, who joined him, has been out of favour with the Afghan Government since the disturbances in Kunar a year or two ago. .... It is at present believed that some casualties were suffered by the contingents from Lalpura and Goshta which are definitely within Afghan territory, and if this information proves to be correct, it may be thought desirable to make some representation in Kabul.<sup>3</sup>

It also appeared that efforts had been made by the Jalalabad authorities to keep Afghan Mohmands out of the rising ; and that these efforts had been in the main successful.<sup>4</sup>

His Majesty's Government did not consider it necessary for the British Representative to mention the affair to the Afghan Government,<sup>5</sup> and the Government of India stated that ' the Foreign Minister was certainly justified in claiming credit for restraint imposed by Afghan authorities on their own Mohmands.'<sup>6</sup>

**317. Shah Mahmud visits the Border.**—In August a meeting was reported to have taken place between Shah Mahmud, the Governor of the Eastern Province, the Haji of Turangzai, and Maulvi Bashir, followed by negotiations at Kabul between the Afghan Government and a Mohmand jirga, for the location of forts, to be held by Afghan regulars or Mohmand Khassadars, in Mohmand country. One of the sites proposed was reported to be several miles east of the presumptive boundary.<sup>7</sup>

### 318. Afridis.

**Afridis assist Amir in the Khost Rebellion.**—Large contingents of Afridis, said to number some 5,000, went to Jalalabad in September 1924 in answer to the Amir's appeal, but only 500—600 appear to have reached Khost. They were largely used by the Afghan authorities as intermediaries between themselves and the Mangals. They returned to their homes in the early summer of 1925, but Said Badshah (the so-called ' King of Tirah ') stayed in Jalalabad until October, when he was reported to have received Rs. 12,000 Kabuli from the Amir, and other rewards, for his services.

In April 1926 some 250 reservists of the Afriti Battalion went to Jalalabad, on the occasion of the Amir's visit, but were dissatisfied with their allowances, and many of them took their discharge.

In July and September other parties proceeded to Jalalabad and thence to Kabul, but returned expressing disgust at the amounts they had received.

On November 30 the Zakka Khel attacked some Kuchis near Dakka, carrying off a considerable quantity of sheep and cattle, and on the night of December 6/7 surprised the Afghan Khassadar Post at Shamgora, near Dakka, and carried off seven rifles.

They gave as the reason for their behaviour the withholding of the old Afghan allowances, and the failure of the Amir to grant them adequate rewards for their services against the Mangals.<sup>8</sup>

The incident is important in its bearing both on the question of Afghan allowances paid to British tribes, and on that of British responsibility for raids by such tribes into Afghanistan.

<sup>1</sup>Tels. 79 (9-4-1927), from Viceroy, to S. of S., 1082 (11-4-27), from S. of S., to Viceroy and 723 (12-4-1927), from Viceroy, to S. of S. (A. S. XXI, 141, 150, 151). For a detailed report on the Mohmand situation in April 1927 see Memo. 809 (27-4-1927), from N.-W. F., to G. of I. (A. S. XXI, 204).

<sup>2</sup>Para. 296.

<sup>3</sup>Memo. 1209 (17-6-1927), from N.-W. F., to G. of I. (A. S. XXI, 300).

<sup>4</sup>Tel. 1277 (18-6-1927), from Viceroy, to S. of S. (A. S. XXI, 302). Letter 479 (20-7-1927), from G. of I., to U. S. of S. (A. S. XXII, 49).

<sup>5</sup>F. O. tel. 43 (18-6-1927) (A. S. XXI, 305).

<sup>6</sup>Tel. 70 (8-8-1927), from Viceroy, to S. of S. (A. S. XXII, 77-A.).

<sup>7</sup>Memo. 1874 (25-8-1927), from N.-W. F., to G. of I. (*ibid*, 119).

<sup>8</sup>Letter 2481 (16-12-1926), from N.-W. F., to G. of I. (A. S. XXI, 12).

In December 1926 a minor Afghan official visited the Bazar Valley, and recovered a good deal of the looted property by direct negotiation with the Zakka Khel.<sup>1</sup>

In February 1927 the Amir interviewed the Zakka Khel in this connection. The British Minister considered that he would not be on firm ground in protesting against the Afghan proceedings in this case.<sup>2</sup> The Chief Commissioner, N.-W. F. P. agreed,<sup>3</sup> and so did the Government of India.<sup>4</sup>

**319. Kurram—Afghan enlistment of Turis.**—On this sector relations between British and Afghan officials were less happy than elsewhere. In November and December 1924 the efforts of Shahgassi Ali Ahmad Jan to enlist Turis from the Kurram gave rise to some excitement in the Valley,<sup>5</sup> and some friction between the Shahgassi and Major Noel, the Political Agent.<sup>6</sup>

A protest on the subject was made by Sir F. Humphrys on January 5, 1925, to the Foreign Minister, who promised ‘that such interference with British tribesmen should not recur.’<sup>7</sup>

The treatment accorded to the Turis, ‘with whom the Afghan Government have no legitimate concern’, during the Amir’s visit to Jalalabad in March 1925 evoked another protest from the Minister.<sup>8</sup>

In August 1925, however, news was received that the Shahgassi was endeavouring to enlist Turis for long service instead of dismissing them at the close of the Khost rebellion.<sup>9</sup> Soon afterwards the Chief Commissioner reported:—

‘There seems strong reason to believe that Afghans are making deliberate attempt to re-establish relations with Turis,’

and gave his reasons for this view.<sup>10</sup>

A further representation on the subject was made by the British Minister who was assured by the Afghan War Minister and the Shahgassi that.—

‘The Afghan Government had no intention of recruiting Turis either for their regular or irregular forces in the future.’<sup>11</sup>

Sir F. Humphrys seemed doubtful as to the reality of the alleged Afghan offers of service to the Turis.<sup>12</sup>

It seems possible, however, as suggested by the Persian Minister at Kabul,<sup>13</sup> that such overtures as had been made to the Turis were actuated by the same motive as similar activities in the case of Hazaras, and were part of a considered policy of forming a Shia make-weight to the Sunni tribes of Afghanistan, as an insurance against the recurrence of a rebellion like that of 1924.<sup>14</sup>

On October 10, 1925, the Amir interviewed the Turis who had served against the Khost rebels and were then in Kabul, and promised to give an annual contribution to their Matam Khana, and to reopen the Liwani Canal.<sup>15</sup> The Shahgassi then paid them some rewards and dismissed them, but whether with a promise of future service or not seems uncertain.<sup>16</sup>

The Turis refused to accept the gift for their Matam Khana without the consent of their own Government.<sup>17</sup>

In July 1926 the Minister reported that some Turis had applied at Kabul for permission to settle in the Logar Valley.<sup>18</sup>

<sup>1</sup>Memo. 91 (8-1-1927), from N.-W. F., to G. of I. (F. 339-F. 1926, 5).

<sup>2</sup>Kabul despatch 21 (21-2-1927) (A. S. XXI, 87).

<sup>3</sup>Ex. letter 592 (17-3-1927), from N.-W. F., to G. of I. (*ibid*, 106).

<sup>4</sup>Letter 338 (14-4-1927), from G. of I., to N.-W. F. (*ibid*, 162).

<sup>5</sup>Tel. 3900 (11-12-1924), from N.-W. F., to G. of I. (A. S. XVII, 36).

<sup>6</sup>Ex. letter 540 (28-2-1925), from N.-W. F., to G. of I. (*ibid*, 181).

<sup>7</sup>Kabul tel. 12 (6-1-1925) (*ibid*, 87).

<sup>8</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>9</sup>Tel. 1900-C. (7-8-1925), from N.-W. F., to G. of I. (*ibid*, 231).

<sup>10</sup>Ex. letter 1295/684 (12-8-1925), from N.-W. F., to G. of I. (*ibid*, 251).

<sup>11</sup>Kabul memo. 76-2 (28-8-1925) (*ibid*, 294).

<sup>12</sup>Kabul despatch 70 (29-8-1925) (*ibid*, 295).

<sup>13</sup>Kabul tel. 63 (29-4-1927) (F. 206-F. 1926, 121).

<sup>14</sup>See Kabul despatch 74 (5-9-1925) (A. S. XIX, 21).

<sup>15</sup>Kabul memo. 76-4 (13-10-1925) (*ibid*, 62).

<sup>16</sup>Kabul memo. 76-5 (17-10-1925) (*ibid*, 64) and 76-6 (23-10-1925) (*ibid*, 73).

<sup>17</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>18</sup>Kabul despatch 56 (26-7-1926) (*ibid*, 143).

### 320. Jaji Turi affairs.

**The Joint Commission.**—In May 1926 the old feud between the Jajis and Turis broke out afresh, and proposals were made for the appointment of a Joint Commission to settle the outstanding cases between these tribes. In March 1927 the Chief Commissioner forwarding a statement showing ten acts of aggression, committed (seven by Afghan and three by British tribesmen) since January 1, wrote ‘The raiding and counter raiding on this border is reaching a pitch which, if no cognisance is taken, may lead to serious complications,’ and pressed for the arrangement of the Joint Commission.<sup>1</sup> The Afghan Foreign Minister was prepared to accept the proposal, but ‘only on express condition that another officer was posted as Political Agent, Kurram.’<sup>2</sup>

Meanwhile raiding and counter raiding proceeded actively and other incidents had occurred. On May 28, 1926, a party of Kurram Militia was fired on by Jajis, and a charge of violating the frontier was made against it by the Afghan Foreign Minister.<sup>3</sup>

On January 23, 1927, Major Empson, Commandant, Kurram Militia, was fired on by Jaji raiders and a formal protest was made on the subject by Mr. Gould. The Turi-Jaji situation was reported to be deteriorating.<sup>4</sup>

**321. The Peiwar Boundary.**—On June 8, 1926 a party of British officers was held up on the British side of the Peiwar Pass by the garrison of the Afghan Post, and as the boundary pillars in this area had disappeared, a Joint Commission to settle the question of their re-erection assembled on December 3. The British Commissioner was Major Noel, and a report which disposed amicably of certain of the points in dispute was eventually signed. The completion of the Commission’s work was postponed until the spring; but by that time the Afghan Government’s objections to Major Noel had resulted in an order to their local officers to have no dealings with him,<sup>5</sup> and therefore nothing more could be done.

**322. The Kharlachi irrigation works.**—In March 1927 the villagers of Patan destroyed the headworks of the Titam channel<sup>6</sup> near Kharlachi, as they had on previous occasions in 1894 and 1909. Major Noel gave a summary of the case, and asked for action at Kabul.<sup>7</sup> Mr. Gould represented the matter accordingly, and the Foreign Minister promised to have the question investigated.<sup>8</sup>

The Turis were told by the local Afghan officers that they could repair the channel, but when they began the work, were attacked by the villagers of Patan. On April 29 the Foreign Minister promised Mr. Gould to do all he could to restrain the Afghan tribesmen, and again asked for the transfer of Major Noel. The Afghan Post Commander then discussed the irrigation question with Major Noel, and after a meeting between the latter and the Hakim of Chakmanni, the repair of the headworks was carried out.<sup>9</sup>

**323. Proposal for a clean slate.**—In June the Chief Commissioner reported that:—

‘The undertakings of the Afghan Government to restrain their tribesmen are not being fulfilled and that the Turis cannot indefinitely be prevented from making good their losses by retaliatory action..... the Afghan Government have made the appointment of a Joint Commission impossible, by attaching to their acquiescence an unreasonable demand for Major Noel’s immediate transfer.’

Sir N. Bolton suggested as ‘the only practicable alternative’ a ‘mutual cancellation of all outstanding offences by either side.’<sup>10</sup>

The Afghan Foreign Minister told Mr. Gould on August 13 that he was considering this proposal as an alternative to a Joint Commission.<sup>11</sup>

**324. The Kotri affair.**—On July 26/27, 1927 a Jaji lashkar, supported by Afghan regulars, crossed the frontier, and came into collision with the Kurram Mangals near Kotri.<sup>12</sup>

<sup>1</sup>Memo. 4492 (18-3-1927), from N.-W. F., to G. of I. (F. 206-F. 48).

<sup>2</sup>Kabul tel. 45 (3-4-1927) (*ibid*, 67).

<sup>3</sup>Memo. 2923 (30-7-1926), from N.-W. F., to G. of I. (*ibid*, 8).

<sup>4</sup>Memo. 245-P. (11-2-1927), from N.-W. F., to G. of I. (*ibid*, 31).

<sup>5</sup>Kabul tel. 77 (26-5-1927) (*ibid*, 138).

<sup>6</sup>Tel. 337/38 (1-4-1927), from P. A., Kurram, to N.-W. F. (*ibid*, 63).

<sup>7</sup>Memo. 394 (14-4-1927), from P. A., Kurram, to N.-W. F. (*ibid*, 92).

<sup>8</sup>Kabul tel. 56 (16-4-1927) (*ibid*, 94).

<sup>9</sup>Tel. A. 26 (1-5-1927), from N.-W. F., to G. of I. (*ibid*, 119).

<sup>10</sup>Memo. 1505 (16-6-1927), from N.-W. F., to G. of I. (*ibid*, 145).

<sup>11</sup>Kabul tel. 102 (14-8-1927) (A. S. XXII, 99).

<sup>12</sup>A full report is given in Memo. 1740 (12-8-1927), from N.-W. F., to G. of I. (*ibid*, 97).

The Jajis were repulsed with some casualties, and the Afghan Timber Agent who appeared to be in control, withdrew the force by arrangement with the British authorities. The affair originated according to Afghan reports in smuggling of timber from the Afghan to the British side of the line, in the course of which one of the Afghan Forest Officer's party had been wounded. In the previous November Mr. Gould had received a complaint from the Afghan Government in this connection<sup>1</sup>, and Major Noel was accused of instigating this smuggling.<sup>2</sup>

According to Kurram reports however the affair had nothing to do with timber smuggling, but arose out of a collision between Mangal graziers and a party of Afghan soldiers and Jajis on July 26.<sup>3</sup>

His Majesty's Government considered that 'in view of history of wood smuggling' the ground for any but a purely formal protest was weak unless there was 'indisputable evidence' that Afghan regulars had violated the frontier. Instructions were given that the matter should not be carried beyond the Afghan Foreign Minister to the Amir, as Mr. Gould had suggested.<sup>4</sup>

On August 15, Mr. Gould telegraphed that the Foreign Minister was 'disquieted at discrepancy between British and Afghan accounts of Kotri incident', and that orders had been issued to the Governor of the Southern Province to depute an officer to examine the scene of the affair. The Afghan Foreign Minister asked that a British officer should be deputed to indicate the place to him,<sup>5</sup> and at the same time showed readiness to 'accept proposition that it should be made known by both Governments that, with effect from date to be announced later, perpetrators of incursions both into Afghanistan and into India should be punished by their respective Governments, and that no plea of retaliation should be entertained'.<sup>6</sup>

The Government of India welcomed the suggestion which had originated with the Chief Commissioner, N.-W. F. P.<sup>7</sup>

325. Waziristan.—In September 1924 the Wana Wazirs reported that they had been invited, with other Wazirs, to fight against the Suleiman Khel but had refused.

In the course, however, of the Khost rebellion many Mahsuds and Wazirs went to the assistance of the Afghan authorities, and the fact made it difficult to ascertain how far the Afghan Government intended to carry out their undertaking not to re-enlist the Khassadars, whom they had, under British pressure, disbanded at the close of 1923.

Afghan intrigue was conspicuously absent during 1924, and by the spring of 1925 nearly all the Mahsuds and Wazirs who had assisted the Amir during the Khost rebellion had returned to their homes. In October 1926 it was reported that all Mahsud Khassadars in Afghan employ at Urgun had come back without having received pay or rations.

The extent to which British requirements and Afghan assurances in regard to Waziristan have been fulfilled is discussed elsewhere.<sup>8</sup> On the whole the attitude of the Afghan Government throughout this period was more correct than might have been expected, and in June 1927 the Resident in Waziristan wrote:—

'I can see no reason to believe that any direct encouragement towards hostilities is being given by the Afghan Government, in fact practically the reverse. At the same time the local Afghan officials, such as the Hakim of Khost, are I consider undoubtedly intriguing.'<sup>9</sup>

The Amir's visit to Gardez at the end of July was not 'accompanied by any intrigues with our tribes'.<sup>10</sup>

326. Baluchistan.—Anglo-Afghan relations on the Baluchistan border provided few incidents during the period under review.

<sup>1</sup>Kabul memo. 352-6 (19-11-1926) (F. 206, F. 15).

<sup>2</sup>Kabul tel. 124 (1-8-1927) (A. S. XXII, 58c.).

<sup>3</sup>Memo. 1724 (4-8-1927), from N.-W. F., to G. of L. (*ibid*, 67).

<sup>4</sup>F. O. tel. 50 (10-8-1927) (*ibid*, 87).

<sup>5</sup>Kabul tel. 101 (13-8-1927) (*ibid*, 92).

<sup>6</sup>Kabul tel. 102 (14-8-1927) (*ibid*, 99).

<sup>7</sup>Tel. 1739 (17-8-1927), from Viceroy, to S. of S. (*ibid*, 101).

<sup>8</sup>Ch. XXIV.

<sup>9</sup>Memo. 196 (20-6-1927), from Res. Waz., to N.-W. F. (A. S. XXII, 24).

<sup>10</sup>Tel. 70 (8-8-1927), from Viceroy, to S. of S. (*ibid*, 77-A).

In March 1924 there had been a collision between a party of the Chagai levies and 'some men believed to be levies from the Afghan post of Taraki.'<sup>1</sup> The matter was not taken up by either Government. In the following May some Afghan Khassadars committed a raid on the British side of the line near Ghuzh Thana and carried off some sheep belonging to an Achakzai, who organised a pursuit party and recovered his property. The Hakim of Baldak was informed of the affair, but sent no reply and the matter was dropped.<sup>2</sup>

In August 1927 a leave party of the 4th Hazara Pioneers on their way to Quetta was reported to have been attacked by Afghan regulars and tribesmen at Loe Karez, in Afghan territory, 14 miles north of Chaman. One non-commissioned officer and three sepoys were detained in Spin Baldak by the Afghan authorities. It was not clear whether the Hazaras had given any provocation in the matter which was still under investigation at the close of the period.<sup>3</sup>

**327. Manoeuvres near the Durand Line.**—In September 1924 the Afghan Government received alarming reports of British military activities in the neighbourhood of Chaman.<sup>4</sup> All that had actually taken place was a staff ride, and it was noted by the Government of India that information would be communicated to the British Legation as a matter of course regarding—

'any big manoeuvres on frontier, but staff rides, Brigade manoeuvres, and training, being merely part of annual training, are too common to involve necessity of previous reference'.<sup>5</sup>

In November of the same year the Chief Commissioner, N.-W. F. P.<sup>6</sup> and the Minister both saw serious objections to a Brigade training exercise in the Loi Shilman Valley, which involved the movement of some 3,000 men and 800 animals. Sir F. Humphrys concluded :—

'Generally my opinion is that time has not yet come when military exercises can be carried out in this region, without grave risk of international complications.'<sup>7</sup>

**328. The Afghan protest against Indian Frontier Policy.**—In July 1926, Sir F. Humphrys drew the attention of the Foreign Minister to an article in the 'Aman-i-Afghan' :—

'Criticising in intemperate language so-called 'forward policy' in tribal territory ..... Foreign Minister said he dissociated himself from such sentiment, and stated that Afghan Government had no complaint to make against present frontier policy of the Government of India.'<sup>8</sup>

And on February 23, the Amir at a 'farewell audience' granted to Sir F. Humphrys, declared that

'He was perfectly satisfied with British policy towards Afghanistan. Although England had not done much to help his country, he felt that she was friendly.'<sup>9</sup>

On April 2, however, the Afghan Foreign Minister mentioned to Mr. Gould the disquietude with which the Afghan Government viewed manifestations of a 'forward policy' on the Indo-Afghan Frontier, particularly in Swat and Buner,<sup>10</sup> and maintained this attitude at an interview on April 16.<sup>11</sup>

On May 30, 1927 the Afghan Minister in London called at the Foreign Office, and presented a memorandum protesting against the 'forward policy' of the Government of India, in pursuit of which, it was stated, they had been 'devoting particular attention to the frontier of Afghanistan, in order to rouse the independent Afghan tribes against the Government of Afghanistan.'

The Note went on to mention, as particular causes of complaint, the support given to the Wali of Swat; the visits of the Commander-in-Chief, the Viceroy and the Secretary of State for Air to the Frontier; and the encouragement given by the Political Officers of the Kurram Agency to the Turis in their feud with the Jajis, and declared :—

"For the last seven years the Afghan Government have been trying their best to transform neighbourly relations of the two Governments into sincere friendly ones. But

<sup>1</sup>Memo. 636 (27-3-1924), from Baln., to G. of I. (A. S. XIV, 4).

<sup>2</sup>Memo. 1192 (3-5-1924), from Baln., to G. of I. (*ibid*, 199).

<sup>3</sup>Letter 422 (25-8-1927), from Baln., to G. of I. (A. S. XXII, 124).

<sup>4</sup>Kabul tel. 331 (27-9-1924) (A. S. XVI, 156).

<sup>5</sup>Tel. 1525 (1-10-1924), from G. of I., to C. d'A. Kabul (*ibid*, 168).

<sup>6</sup>Tel. 3680 (20-11-1924), from N.-W. F., to G. of I. (A. S. XVII, 9).

<sup>7</sup>Kabul tel. 436 (30-11-1924) (*ibid*, 28).

<sup>8</sup>Kabul tel. 92 (15-7-1926) (A. S. XX, 124).

<sup>9</sup>Kabul tel. 30 (23-2-1927) (A. S. XXXII, 79).

<sup>10</sup>Kabul tel. 45 (3-4-1927) (F. 206-F. 1926, 67).

<sup>11</sup>Kabul tel. 56 (16-4-1927) (*ibid*).

owing to political activities of the British authorities in India adverse to Afghanistan, and especially, because of the cold treatment of the British Minister at Kabul, whether in his official or private capacity, the Afghan Government have been handicapped from carrying out the good intentions of formulating better friendly relations with the British Government.<sup>1</sup>

When presenting this note the Afghan Minister mentioned orally some other causes of complaint, *viz.*, the insistence on the residence of the Afghan Trade Agent at Quetta instead of at Chaman as the Afghan Government desired; the employment of Indian instead of Afghan labour in the construction of the new Legation at Kabul; and the 'interference' of Sir F. Humphrys in the Piparno case. The Minister went on to ask that Sir F. Humphrys might be recalled.<sup>2</sup>

The Government of India found difficulty in appraising the value of the memorandum delivered by the Afghan Minister and of his supplementary statement, but considered that the relevant factors were probably personal pique on the part of S. Ghulam Siddiq the Foreign Minister; a rebuke administered to the Afghan Minister in London on March 8; and the attitude taken up by Sir F. Humphrys in regard to Afghan interference with Frontier tribes, the Chaman customs question, and the Amir's overtures for a Treaty of Friendship.<sup>3</sup>

Mr. Gould thought, like the Government of India, that one of the motives of the request for the recall of Sir F. Humphrys might be a desire for some representative more malleable, especially in connection with negotiations for a new Treaty, for which the written note was intended to prepare the ground, but doubted whether this request had the full authority of the Amir, who had left on April 9 for a tour to Northern Afghanistan, and only returned to Kabul on June 13.<sup>4</sup>

The Chief Commissioner, N.-W. F. P., pointed out that the allegations of an aggressive policy on the Frontier were baseless; that the charge of unfriendly action brought against the Political Agent, Kurram, was more applicable to the Afghan local officials; and that the coupling in the Note of Afghan independence with that of the tribes indicated pretensions in regard to the latter which should be firmly resisted.<sup>5</sup> It was eventually decided to ignore the Afghan Minister's oral representations, and to answer only the written note.<sup>6</sup> A reply was accordingly sent to the Afghan Minister on July 26, which was summarised as follows:—

- (a) allegations by Afghan Government of cold treatment and misgivings as to British policy have caused His Majesty's Government surprise and regrets, having regard to their scrupulous observance of the Treaty and sincere desire for friendly co-operation on that basis;
- (b) frontier policy of the Government of India, which is indistinguishable from that of His Majesty's Government, is not directed against Afghanistan but on the other hand, has as one of its object the facilitating of neighbourliness in border relations. An outstanding responsibility of His Majesty's Government is to secure safety of administered districts of India and our policy towards tribes on the British side of the Indo-Afghan frontier is determined first of all thereby;
- (c) recognition of the position held for seven years by Mian Gul as Ruler of Swat was accorded with a view to stabilising conditions, and to promote peaceful relations in purely local spheres. There is no foundation for suggestion of motive of unfriendliness to Afghanistan;
- (d) His Majesty's Government agree that frontier disputes should be settled by friendly arrangement, and would welcome early progress with joint commissions as regards Jaji-Turi dispute and boundary in Peiwar Kotal, and Dokhalim area. In such matters His Majesty's Representative at Kabul will always be found prepared to receive and reciprocate any suggestions for a friendly settlement, or for removal of difficulties;
- (e) if further explanations are desired His Majesty's Government hope that Sir F. Humphrys, who has acted throughout under their instructions and has their full confidence, will be able on return to Kabul to remove all misunderstandings of British policy by frank conversations with Afghan Government,

<sup>1</sup>F. O. despatch 27 (30-5-1927) (A. S. XXII, 2).

<sup>2</sup>Tel. 1221 (9-6-1927), from Viceroy, to S. of S. (A. S. XXI, 279).

<sup>3</sup>Kabul tel. 84 (10-6-1927) (*ibid*, 297).

<sup>4</sup>Ex. letter 1298 (20-6-1927), from N.-W. F., to G. of I. (A. S. XXII, 5).

<sup>5</sup>Tel. 1787 (30-6-1927), from S. of S., to Viceroy (*ibid*, 18).

as well as to discuss any other matter connected with the progress of friendly relations, which happily subsist, between the two Governments.<sup>1</sup>

It is as yet too early to say with any certainty what were the precise motives actuating the Afghan Government in making this protest, and whether or not it was made with the full authority of the Amir.

On July 30 the Foreign Minister explained that—

'Delivery of note.....had been delayed unfortunately, at least two months, with the result that it had almost coincided with announcement of rupture of British relations with Russia. He hoped that no significance was attached to this coincidence by His Majesty's Government.'<sup>2</sup>

If this statement were true, (and it is supported by the oral protest made on April 2 in Kabul to Mr. Gould), the genesis of the note could be dated back to the end of March at least, i.e., before the departure of the Amir on tour, but subsequently to Sir F. Humphrys' farewell interview with him on February 23; and the suggestion made by the Government of India that one of the reasons for it may have been a desire to retaliate on the British Minister for the rebuke which Shuja-ud-Daula received from Sir V. Wellesley on March 8,<sup>3</sup> gains in probability. This chronology would also tend to refute any idea, which seems itself unlikely, that such a step could have been taken in the Amir's absence, and without his sanction. It appears quite possible that the demand for Sir F. Humphrys' recall was not intended to be pressed, and that, if its object was mere retaliation for the incident of March 8, this was regarded as attained by the mere statement of the demand. This would account for its exclusion from the written note, and for the fact that by August 8 the Government of India could say 'There is now every reason to hope that Afghan Government have receded from their impossible position over Humphrys.'<sup>4</sup>

In this connection it is relevant to notice the favour with which Shuja-ud-Daula himself is believed to be regarded by the Amir.

Sir Henry Dobbs, in his final report on his mission to Kabul, wrote :—

'The only Minister in whom the Amir seemed, until recently, to repose complete confidence was the Wazir-i-Amniya Shuja-ud-Daula.'

It is just possible too that the coupling in the Afghan Note of the 'political activities of the British authorities in India', with the 'cold treatment of the British Minister at Kabul' may reflect the inveterate objection of the Afghan Government to the participation of the Government of India in the direction of British policy *vis à vis* Afghanistan. This attitude was openly declared during the Kabul negotiations of 1921,<sup>5</sup> and it is clear from the remarks of S. Mahmud Tarzi, reported in Sir F. Humphrys' despatch 15 of February 2, 1927,<sup>6</sup> that it survives unmodified :—

'It was only a few years since Afghanistan had become independent of the control of the Government of India, and the despatch of Afghan youths to India for training would suggest that his country was still in tutelage.'

To the Afghan mind the appointment of a British Minister at Kabul from the Indian Political Department, and his repeated visits to India as the guest of the Viceroy might conceivably suggest that Afghanistan is still under the thinly disguised tutelage of India.

But at present these are only conjectures, on which more light may be thrown before long.

The protest against 'the forward policy of the Government of India' seems to be merely an expression of the old Afghan fears as to the thinning of the 'prickly hedge',<sup>7</sup> which had been emphasised in an article published in the 'Aman-i-Afghan' of May 5, 1926 :—

'We have never endured patiently the interference of the British with tribal matters, and our opinion regarding such interference has not been lately formed, but dates from the time when Mr. Udny was Commissioner at Peshawar.'

<sup>1</sup>F. O. tel. 49 (31-7-1927). (A. S. XXII, 57). (For full text see A. S. XXII, 95).

<sup>2</sup>Kabul tel. 94 (30-7-1927). (*ibid*, 56).

<sup>3</sup>(A. S. XXI, 164).

<sup>4</sup>Tel. 70 (8-8-1927), from Viceroy, to S. of S. (A. S. XXII, 77-A.).

<sup>5</sup>Final Report (9-1-1922) (para. 10).

<sup>6</sup>Para. 182.

<sup>7</sup>(A. S. XXI, 76).

<sup>8</sup>Para. 462.

The article went on to give ten illustrations of the 'forward policy' on the Indian Frontier, and stated that these measures were preliminary to taxation and disarmament. From the Foreign Minister's statement of July 1926<sup>1</sup> it would appear either that these fears had been revived by some incident subsequent to that date, or else that, although abandoned by S. Mahmud Tarzi, they had continued to be entertained by S. Ghulam Siddiq and his party.

British policy in Swat is given a prominent place among the grounds of objection stated in the Afghan note, but the agreement with the Wali was concluded in 1925, and therefore, as suggested by the Chief Commissioner, the present protest against it was possibly inspired from other sources, such as the Nawabs of Dir and Amb.<sup>2</sup> The consolidation of the Wali's position and his loyal observance of his engagements to the Government of India constitute a serious obstacle to the success of any Bolshevik activities north of the Kabul river, and since 'evidence of Russian tutoring'<sup>3</sup> in regard to the Note is available, the inspiration may in this particular have been Russian.

The visits to the Frontier of the Commander-in-Chief, Viceroy, and Secretary of State for Air were also mentioned and were probably more real causes of alarm.<sup>4</sup> A letter alleged to have been written to the Amir in November 1926 by Musa Khan, whether it was genuine or not, showed the significance which is popularly attached to such visits, and, if it actually reached the Amir, might have revived his former apprehensions as to his loss of influence in Waziristan :—

'Since the Viceroy has come to Waziristan it is clear that this country belongs to the British Government, although you told me you had not given it to the Sirkar.'<sup>5</sup>

But on the whole the gravity of the protest appears to be out of all proportion to its discoverable causes, and it seems reasonable to suppose that in making it the Afghan Government had their eyes on negotiations for the next Treaty, and were registering targets for a future offensive, rather than opening the offensive itself :—

'The references read not so much as protests against what we are doing, as threats of what Afghans will do unless we come to terms over a new and more generous Treaty of friendship.'<sup>6</sup>

The Afghan Minister in London reminded the Foreign Office on the subject on July 26,<sup>7</sup> and the substance of the note was recapitulated by the Afghan Foreign Minister at an interview with Mr. Gould on August 13.<sup>8</sup>

### 329. Anglo-Afghan relations in Afghanistan itself.

**Afghan difficulties with Foreign Powers.**—Relations between the British and Afghan Governments during the period under review were not confined to those arising either from the Khost Rebellion, or from events on the Indo-Afghan frontier. British interests were also gravely, if less directly, concerned in various developments which had their origin in the Amir's dealings with other countries, such as the Piparno<sup>9</sup> and the Sauer cases,<sup>10</sup> and the menace of Russian penetration,<sup>11</sup> which are discussed in detail elsewhere. In all these matters the British Minister played an important part, exercising a moderating influence upon the Afghan Government, and while supporting the legitimate rights of foreigners in Afghanistan, combating the propensity of the Amir to endanger the peace of the country, or the stability of his own position, by action dictated merely by impatience or personal pique.

While due allowance must be made for the Amir's insincerity and histrionic ability, there is evident throughout the period a growing tendency on his part to consult Sir F. Humphrys on questions of foreign policy, and thus to fulfill the hope entertained by the Government of India as long before as July 1919 :—

'If we regain confidence of Afghanistan and get them to turn voluntarily to us in their difficulties, we shall have secured more than we can do by any "scrap of paper".'<sup>12</sup>

<sup>1</sup>Para. 328.

<sup>2</sup>Ex. letter 1304 (21-6-1927), from N.-W. F., to G. of I. (A. S. XXII, 7).

<sup>3</sup>Tel. 1221 (9-6-1927), from Viceroy, to S. of S. (A. S. XXI, 279).

<sup>4</sup>See Appx. to M. A. Kabul Diary 36, 1927 where the question is discussed.

<sup>5</sup>Memo. M. 7 (6-11-1926), from P. A. S. Waz., to Res. Waz. (A. S. XX, 287).

<sup>6</sup>Tel. 1221 (9-6-1927), from Viceroy, to S. of S. (A. S. XXI, 279).

<sup>7</sup>(A. S. XXII, 106).

<sup>8</sup>Kabul tel. 104 (15-8-1927) (A. S. XXII, 100).

<sup>9</sup>Para. 341.

<sup>10</sup>Para. 349.

<sup>11</sup>Para. 351.

<sup>12</sup>Tel. 1014 (10-7-1919), from Viceroy, to S. of S. (Progs. Sept. 1919, 16).

But it was hardly to be expected that such a result could be brought about without arousing the resentment of the Amir's advisers ; and this resentment was clearly shown in regard to the Minister's action in the Piparno case :—

' Mahmud Tarzi..... then turned suddenly on me and remarked " It was you who compelled the Amir to settle the Piparno case ".<sup>1</sup>

' The Minister (Shuja-ud-Daula) went on to complain that His Majesty's Minister had interfered in the case where an Italian subject had murdered an Afghan. This interference, in a matter which concerned only Afghanistan and the Italian Government, was also felt to have been unfriendly.<sup>2</sup>

**330. Afghans attend the Delhi Manoeuvres.**—In January 1925 an invitation was sent by the Commander-in-Chief in India to the Afghan War Minister for a party of Afghan officers to attend the Delhi manoeuvres. The invitation was accepted. The Afghan officers were accompanied by the Military Attaché, Kabul, and were ' much impressed with the courtesy and kindness shown to them by the Viceroy and Commander-in-Chief, as well as by the visible signs of strength and stability which they witnessed in India '.<sup>3</sup>

**331. Burning of the Legation Quarters.**—The serai occupied by the British Legation was destroyed by fire on the night of December 22, 1926. Valuable help was rendered by the Governor of Kabul, the Italian Minister, and Baron von Kaltenborn Stachau.<sup>4</sup>

### 332. Afghan internal affairs.

**Ministerial appointments.**—In April 1924 some important changes in ministerial appointments were announced. S. Nadir Khan was to be Minister at Paris relieving S. Mahmud Tarzi, who was to return to his old appointment of Foreign Minister. S. Shuja-ud-Daula was to succeed Abdul Hadi as Minister in London. S. Muhammad Wali was appointed Minister for War, and S. Sher Ahmad Khan placed in charge of the Foreign Office pending the arrival of S. Mahmud Tarzi. S. Shah Wali, brother of S. Nadir Khan, ' resigned ' his military command and became Aide-de-camp to the Amir, and S. Shah Mahmud, another brother, was recalled from the Northern Command to become head of the Kabul Military School.

As S. Muhammad Hashim had already taken over his duties as Minister at Moscow it seemed as if the Amir was taking precautions in regard to all the Sultan Muhammad Khels, either removing them from the country or keeping them in unimportant posts under his own eye.<sup>5</sup>

The departure of S. Nadir Khan was a distinct advantage to the administration of the Indian Frontier,<sup>6</sup> and a natural development from the transfer of the Frontier department in November 1923 from his hands to those of S. Muhammad Wali.<sup>7</sup> Some hint of the Amir's suspicions of him was given in remarks made by him to the British Representative before his departure.<sup>8</sup> In July 1925, however, S. Shah Mahmud was appointed Governor of the Eastern Province.<sup>9</sup>

In August 1925 S. Mahmud Tarzi tendered his resignation as Foreign Minister, and although it was not accepted by the Amir, retired almost entirely into private life.<sup>10</sup> He continued however to hold the appointment, and in July 1926 the Minister described him as ' rather difficult of access '.<sup>11</sup>

On January 7, 1927 he left for Paris and S. Ghulam Sadiq was appointed to officiate as Foreign Minister during his absence.<sup>12</sup>

Reasons of health were given for S. Mahmud Tarzi's visit to Europe, but it is believed that he was also required to ascertain the attitude of S. Nadir Khan and the rest of the Sultan Muhammad Khel, and if possible to conciliate

<sup>1</sup>Kabul despatch 85 (31-10-1925) (A. S. XIX, 79).

<sup>2</sup>(A. S. XXII, 2).

<sup>3</sup>Kabul despatch 12 (14-2-1925) (A. S. XVII, 160).

<sup>4</sup>Kabul despatch 10 (31-1-1927).

<sup>5</sup>Kabul tel. 97 (29-4-1924) (A. S. XIV, 146).

Tel. 873 (2-5-1924), from Viceroy, to S. of S. (A. S. XIV, 169) and Kabul despatch 84 (3-7-1924) (A. S. XV, 142).

<sup>6</sup>Tel. 1129 (7-7-1924), from G. of I., to Waz. (A. S. XV, 132).

<sup>7</sup>Para. 281.

<sup>8</sup>Kabul memo. 442 (12-7-1924) (A. S. XV, 157).

<sup>9</sup>Kabul diary, (17-7-1925).

<sup>10</sup>Kabul despatch 102 (14-12-1925) (A. S. XIX, 145).

<sup>11</sup>Kabul despatch 143 (26-7-1926) (A. S. XX, 143).

<sup>12</sup>Kabul tel. 9 (21-1-1927) (A. S. XXI, 41).

them. This family is understood to have a grievance owing to the failure of the Amir to betroth his sister, Nur-us-Siraj, to S. Muhammad Hashim as had been arranged.<sup>1</sup>

In August 1926 S. Nadir Khan was reported to be seriously ill. He was granted a year's leave in Europe, and was joined by his brother, S. Muhammad Hashim.<sup>2</sup> The latter's place, as Minister at Moscow, was filled by Mirza Muhammad Khan who had been the first Afghan Minister to Russia, and subsequently President of the Afghan delegation for the settlement of the Urtatagai dispute.<sup>3</sup> Ghulam Nabi Khan, who had also been Minister at Moscow, was appointed Minister at Paris in relief of S. Nadir Khan.

In September 1926 S. Shah Wali left Kabul to look after his brother S. Nadir Khan in Europe.<sup>4</sup>

**333. Tours by the Amir.**—As soon as he was free from the pre-occupation of the Khost rebellion the Amir showed signs of a desire to move about the country more freely than he had in the past, and to see things for himself.

On March 19, 1925 he left for Jalalabad and returned on April 2. The visit was made the occasion for distributing rewards to tribesmen who had assisted him during the recent rebellion, and for showing special favour to the Hindustani fanatics who had also sent contingents.<sup>5</sup> On October 10 he went to Kandahar with the Ulya Hazrat, for his first visit, arriving there on the 12th, and returning to Kabul on November 17. During his absence the War Minister S. Muhammad Wali was in charge at Kabul where 'the machinery of Government.....,.....,..... was practically at a standstill.'

At Kandahar the Amir carried out a careful inspection of the public offices, as a result of which 'few departments escaped without blame, and only one emerged with complete success.'

He paid another visit to Jalalabad from April 25 to June 8, 1926, occupying himself with a 'thorough overhaul of the Government offices' and an investigation of the dispute between the Safis and Tajiks of the Kunar Valley.<sup>6</sup>

On November 7 he again visited Kandahar, taking with him the Foreign Minister, but was reported to have transacted little official business, and returned to Kabul on November 20.

In January and March 1927 the Amir paid visits to Jalalabad, and on April 9 proceeded to Bamian *en route* for Mazar-i-Sharif, S. Muhammad Wali as before acting for him during his absence. The object of this tour was stated by him to the British Minister to be 'to check Bolshevik separatist propaganda.'<sup>7</sup>

He returned to Kabul on June 13.

At the end of July he visited Gardez, where his attitude towards British tribesmen was studiously correct, and went on to Ali Khel on August 4. There the Jajis presented a petition, on the strength of their proved loyalty, for exemption from conscription and compulsory education. This is reported to have displeased the Amir, who cancelled the remainder of his visit, and went back to Chalmanni. He returned to Kabul on August 7.<sup>10</sup>

The Amir had now visited all the main divisions of his kingdom except Herat, where he announced his intention of going before the end of 1927.<sup>11</sup> He seems however to have changed his mind almost immediately, for, on September 21, the Foreign Minister informed Mr. Gould that the Amir proposed to make an official visit to Europe of five or six months duration, commencing from the beginning of December when he would leave Kabul.<sup>12</sup>

On September 22, the Afghan Minister in London communicated a note to this effect to the Foreign Office.<sup>13</sup>

<sup>1</sup>Diary M. A. Kabul 4 (12-2-1927).

<sup>2</sup>Kabul tel. 109 (20-8-1926) (A. S. XX, 170).

<sup>3</sup>Kabul despatch 111 (29-10-1926) (*ibid.*, 279).

<sup>4</sup>Kabul tel. 120 (14-9-1926) (*ibid.*, 198).

<sup>5</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>6</sup>Kabul despatch 102 (14-12-25) (A. S. XIX, 145).

<sup>7</sup>Kabul despatch 11 (1-2-1926) (*ibid.*, 218).

<sup>8</sup>Kabul despatch 56 (26-7-1926) (A. S. XX, 143).

<sup>9</sup>Kabul tel. 30 (23-2-1927) (A. S. XXXI, 79).

<sup>10</sup>Tel. 320 (8-9-1927), from N.-W. F. to G. of I. (A. S. XXII, 75).

<sup>11</sup>Kabul tel. 106 (31-8-1927) (*ibid.*, 125).

<sup>12</sup>Kabul tel. 109 (21-9-1927) (*ibid.*, 149).

<sup>13</sup>F. O. tel. (23-8-1927) (*ibid.*, 148).

The possibilities of such a tour both for good and evil are evident. Its educative value, if only as a corrective of tendencies to megalomania will be considerable; but there is also the danger that the Amir will be stimulated by what he sees in Europe to accelerate beyond a safe limit of speed his present schemes for material progress and social reform. His experiences might for instance lead him to press for the introduction of railways in Afghanistan, without due regard for financial and political considerations, or to effect the emancipation of women in the teeth of public opposition. The importance of the latter question as a factor in the outbreak of the Khost rebellion has already been noticed.<sup>1</sup>

The admiration of Western civilisation shown by Amir Habibullah after his visit to India went far to alienate his subjects<sup>2</sup>; and the possibility that history may now repeat itself in an aggravated form cannot be dismissed lightly. Habibullah was a far less impetuous and determined character than Amanullah, and the 'whips' of the father may become 'scorpions' in the case of the son.

There is also of course the possibility of developments in Afghanistan itself during the Amir's absence. In this connection the Government of India remarked :—

'Amanullah's decision, which is unprecedented, speaks volumes for his confidence in the stability of the international situation and also of his personal position. We trust that his confidence in the latter is not misplaced.'<sup>3</sup>

**334. The Amir assumes the title of 'King'.**—In June 1926 the British Legation at Kabul was informed that the Amir would in future be styled 'Padshah', and an announcement by the Afghan Legation in London was published in the 'Times' of June 10 to the effect that he would be known as 'His Majesty the King of Afghanistan'.

Recognition of the new title was accorded by His Majesty's Government.<sup>4</sup>

The prospects of the principal members of the Afghan Royal family were discussed in a despatch by Sir F. Humphrys, who considered that the most likely candidates for succession to the throne, after the death of the present Sovereign were :—

- Sardar Inayatullah Khan (elder half-brother, aged 38).
- Sardar Obeidullah Khan (younger full-brother, aged 11).
- Sardar Asadullah Khan (younger half-brother, aged 15).
- Sardar Azizullah Khan (first cousin, aged 33).
- Prince Rahmatullah Jan (son, aged 5).

The last of these was considered to be the 'most likely candidate of all, if he survives to maturity'.<sup>5</sup>

**335. General Administration.**—The deterioration caused by the Khost rebellion in the administration of the country has already been mentioned, and even when peace had been restored any improvements brought about the Amir's tours and personal inspections appear to have been spasmodic and transient.

In July 1925 the Minister wrote :—

'While essential services are..... being starved both of money and proper supervision, large sums are being expended upon the purchase of aeroplanes and motor lorries, which, in the absence of suitable arrangements for housing and repair, rapidly become unserviceable..... At every turn he (*i.e.*, the Amir), is confronted with the bigotry, fanaticism of the priests, the incompetence and venality of his officials, and lack of money';<sup>6</sup>

and six months later :—

'Peculation among public officials appears to be definitely on the increase, and it is to be feared that the standard is set by those in the highest position. Sardar Kabir Jan, the Amir's youngest brother, who is Director of the Medical Department, retains for his own use by far the greater part of the money voted annually for the alleviation of the sick. .... Mir Muhammad Hashim, an admittedly able Finance Minister, sees to it that a just portion of the country's revenues trickles from the public purse into his own. In every contract that is given for Government supplies or Public Works, a percentage is

<sup>1</sup>Para. 302.

<sup>2</sup>Para. 20.

<sup>3</sup>Tel. 1970 (24-9-1927) from Viceroy to S. of S. (A. S. XXII. 147).

<sup>4</sup>Appx. IV, paras. 729 and 730.

<sup>5</sup>Kabul despatch 75 (6-9-1926) (A. S. XX. 195).

(The genealogical tree enclosed with this despatch is given in Appendix V).

<sup>6</sup>Kabul despatch 56 (17-7-1925).

unblushingly added as the perquisite of the two or three officials concerned. Even the 'Ittihad-i-Mashriqi', the semi-official newspaper of Jalalabad, is preaching vehemently against the growing corruption of public life..... The depleted treasury..... continues to give anxiety to the Afghan Government.<sup>1</sup>

A large increase in Customs receipts for the year was however reported, owing, it was said, to the energy of a new Customs official.

In October 1926 the picture was much the same. Disturbances were reported in Mohmand country, the Kunar Valley, and the Koh Daman.

In May 1927 a demand for the surrender by the Gurbaz of an absconding treasurer was resisted, and led to the flight of some of the tribe across the Durand Line. Action was taken by the British frontier authorities to prevent them committing further mischief, and most of them returned to Afghanistan in June, but without apparently making submission to the Afghan Government.<sup>2</sup>

'In all the Afghan districts lying at a distance from cantonments, the administration is so slack that it is only when crimes of violence have reached proportions which attract the notice of the King that any steps are taken to interfere with the criminals. A descent is then made on the offending district by a specially selected official with a large backing of troops, and such drastic punishments are meted out that order is restored for a period which usually lasts about two years..... On the Kandahar side a distinct improvement in the administration is reported since the drastic overhaul undertaken by the King last year. .... Corruption in administration has reached the most scandalous proportions, and, in spite of the King's personal endeavours, seems definitely on the increase. .... Education continues to be managed in the most haphazard fashion. Three secondary schools are maintained in Kabul under German, French, and Indian supervision, respectively. .... Languages, such as Hindustani and English, which possess a real commercial value in South-Eastern Afghanistan, are almost totally excluded from the curriculum of the Afghan school. The reason is probably to be found in the absurd prejudice that still exists against anything which suggests the old dependence on India. .... Judicial reform, though recognised by the King as essential, evokes little enthusiasm, even among the most progressive members of the Government. The Afghan codes of law and procedure are quite unintelligible, and in many respects are repugnant to modern ideas of decency and justice..... The position of the King is still insecure. I regard him as one of the few really patriotic Afghans I have met, and his intelligence and breadth of view are remarkable in a man who has never been outside Afghanistan. He is a tireless worker and abstemious in his habits, and is a genuine enthusiast for progress on modern lines. But in the general opinion of his countrymen, he has failed to make good, and his unpopularity is definitely increasing. The economies which he has practised on his Sardars, the Mullahs, and the Army were bound to be resented. On the other hand, taxation has been raised to pay for such extravagant hobbies as the new capital at Dar-ul-Aman and the maintenance of Legations and students in Europe. The cost of living in the capital shows an alarming tendency to rise. .... The King is probably the only man in Afghanistan to-day who is able by his personality and influence to keep the country from disintegration.'<sup>3</sup>

If this estimate of the state of Afghanistan was correct when it was written—and there is no evidence to show that it was not—the decision of the Amir, less than a year later, to make a protracted tour in Europe is all the more surprising.

**336. Finance.**—There is very little information available as to the State Budget, which was first presented to the Council, and then quite possibly in a fictitious form, in October 1922.<sup>4</sup>

Some details of doubtful authenticity were obtained regarding the budget for 1923-24 :—

Revenue.	Expenditure.
Rs. Kabuli.	Rs. Kabuli.
30 millions.	
	Ministry of War .. .. 10 millions.
	Ministry of Education .. .. 7 millions.
	Ministry of Foreign Affairs .. .. 6 millions.
	Other Ministries .. .. 7 millions.
	<hr/>
	Total .. .. 30 millions. <sup>5</sup>

<sup>1</sup>Kabul despatch 11 (1-2-1926) (A. S. XIX. 218).

<sup>2</sup>Letter 1398 (2-7-1927) from N.-W. F. to G. of I. (A. S. XXII. 27).

<sup>3</sup>Kabul despatch 104 (21-10-1926) (A. S. XX. 272).

<sup>4</sup>Diary of M. A., Kabul, 1922, 31 (7).

<sup>5</sup>(F. 432-F., 1922, n. p. 9.)

In October 1926, Sir F. Humphrys wrote :—

' It is impossible to obtain accurate figures regarding the Afghan budget, which is a jealously kept secret for reasons of policy. It has been remarked in previous reviews that the expenses of the Khost rebellion were so heavy that the balances which had accumulated since King Amanullah's accession were completely exhausted, and the reserve-treasury seriously depleted. This reserve is believed to have decreased to approximately £6,000,000 and is kept, under the personal supervision of the King, in a strong-room in the Arq at Kabul. The annual revenue is estimated roughly at £5,000,000 and expenditure for the past year at £4,750,000. Afghanistan enjoys the unique distinction of having no National Debt, internal or external, on the other hand, she possesses no credit; and it is difficult to see how loans could be raised in the open market for the construction of major works of public utility, such as canals or railways.'<sup>1</sup>

Although the financial position disclosed in this report is a dangerously weak one from the European standpoint, due allowance must be made for the fact that such weakness has a less marked reaction on the primitive economics of Afghanistan than it would have on the more complex and sensitive system of credit which obtains in western countries.

Frequently in the Mussoorie and Kabul negotiations the impending bankruptcy of Afghanistan and the consequent 'money hunger' of the Amir appear to have been regarded as the decisive factor in his foreign policy, which would force him to accept a subsidy, either from Russia or Great Britain.

Such a view seems hardly to accord with the known facts. Amir Habibullah financed himself for many years without drawing his British subsidy in full; and Amanullah, with his Russian subsidy constantly in arrears, has somehow managed to survive a brief war with India, and a very expensive rebellion in his own country, while maintaining a no more inefficient administration than that of his father, and in addition embarking on costly schemes of education and diplomatic representation in foreign countries.

Consequently it appears that financial assistance is required by the Amir, not so much for the maintenance of his present position as for the development of his country on modern lines. His 'money hunger' may be admitted; but the appetite seems to be largely artificial, and its satisfaction scarcely a necessity of existence.

As an illustration of the fact that money is not always the primary consideration with the Amir may be noted his insistence on paying £15,000 for Russian aeroplanes which he could, it is believed, have had for nothing.<sup>2</sup>

**337. The Army.**—As technical information on this subject is available in the military reports, it is not necessary to do more here than to indicate the general condition of the Afghan Army and the attitude of the Amir towards it.

The Army was perhaps the only section of the Afghan people with whom Amir Habibullah was popular at his death. As has been mentioned, it rose against Nasrullah largely on account of his omission to take action against the murderers of Habibullah, and was won over by Amir Amanullah with the offer of a generous rate of pay.<sup>3</sup> Whether payment was ever made at this rate seems uncertain, but the information received by Sir H. Dobbs at Kabul in April 1921 gave a vivid picture of the Afghan recruit at that time :—

' He said all those recently recruited were determined to desert and run away either to India, Persia, or Russia. They only receive at present, in addition to a scanty ration of bread and rice, four Kabuli rupees (three Indian rupees a month); and of this half is cut for the cost of their uniform. (The nominal pay is Rs. 14; but the rations are charged against this). So they have nothing to buy tobacco with, or to send to their families. Underfed and despondent they are being drilled and dragooned more and more by Jemal Pasha and his Turkish officers.'<sup>4</sup>

In December 1922 a note on a visit to Kandahar says :—

' The Kandahar cavalry were not impressive. They had to supply their own horses and feed themselves, they said, on 26 Kabuli rupees a month. At any pace faster than a trot they lost their rifles and broke their reins. When censured by his Commander for unpunctual attendance, a defaulter invariably argued the point. The whole escort took part in the resulting discussion, which usually ended in mutual abuse.'<sup>5</sup>

<sup>1</sup>Kabul despatch 104 (21-10-1926) (A. S. XX, 272).

<sup>2</sup>Para. 418.

<sup>3</sup>Para 31.

<sup>4</sup>D.-O. letter (19-4-1921), from Sir H. Dobbs, to Viceroy (A. S. V, n. p. 63).

<sup>5</sup>Kabul despatch 2 (6-1-1923).

By the outbreak of the Khost rebellion (March 1924) 'the Army had been ruthlessly cut down,'<sup>1</sup> and the system of conscription by which it was recruited worked unfairly, and was most unpopular.<sup>2</sup> At the height of the rebellion it was remarked:—

'In the Afghan Army of perhaps 10,000 men, only the old long service troops appear to possess any fighting value, while the loyalty of even these is not above suspicion..... The remainder of the Government troops consist, so far as is known, of the rawest conscripts, lacking both in morale, and in knowledge of their weapons.'<sup>3</sup>

In August the 'unheard of rate of Rs. 30 a month' was offered to attract recruits,<sup>4</sup> but was probably largely illusory:—

'Nor could the insurrection have become the real menace it undoubtedly has been, if the Afghan Army had not been reduced far below the margin of safety, and its interests neglected. The Afghan soldier is miserably housed, badly paid,<sup>5</sup> and treated as a menial servant, even by the clerks in the Government offices. His military training is utterly inadequate, while the state of the medical organisation in the field beggars description.'<sup>6</sup>

At the close of the rebellion Sir F. Humphrys wrote:—

'The Afghan Army has been totally discredited by its failure to make any headway against ill-armed and badly-led tribesmen..... The staff and the senior regimental officers are at present mainly recruited from among the young Afghans who have received a smattering of modern military education, either in Europe or in the Military College recently established in Kabul. They are wholly lacking in experience, and are not even remarkable for professional keenness, while the junior officers, who are for the most part much older soldiers, are not unnaturally discontented at being superseded.'

In July 1925 it was reported that

'Since the number of troops in Kandahar is barely sufficient for routine garrison duties, the General Officer Commanding is unable to spare detachments for dealing with disturbances'.<sup>7</sup>

Major Dodd's report on his tour from Kabul to Meshed in April 1927 suggests that little or no improvement in discipline has been effected, at any rate so far as troops outside headquarters are concerned.

**338. The attitude of the Amir towards Army Reform.**—Obvious as it is to any observer that 'the army needs entire reorganisation', the Amir appears, until recently at least, to have been apathetic on the subject. The reason for this attitude may perhaps be found in his conviction that the age is one 'of the pen not of the sword', and in his curious belief that it is diplomatic relations with foreign countries, rather than his own military strength, which will protect him from external aggression.<sup>10</sup>

Consequently while the Army has to be cajoled and petted in times of actual danger, expenditure upon it in times of peace seems to be regarded as waste of money. It is true that young Afghans have been sent abroad for military training, but until lately the object in these instances seems to have been as much the acquisition of a European veneer as of military efficiency. There have been many projects for Army reform. Jemal Pasha was actually allowed to begin work, but soon after he left Kabul his scheme was abandoned. Fakhri Pasha's instructors could do little or nothing;<sup>11</sup> the German officers merely translated text books;<sup>12</sup> while the French military mission,<sup>13</sup> and the Italian proposals, appear to have existed only on paper. It was not until January 1927 that any serious effort seems to have been made to tackle the problem of training. But then with the arrival of Ismail Hakki Bey's Mission,<sup>14</sup> and the establishment of an artillery school at Bagrami<sup>15</sup>, a useful beginning was made, and in August 1927 the British Military Attaché reported a distinct improvement in the Kabul

<sup>1</sup>Kabul despatch 52 (17-4-1924).

<sup>2</sup>Para. 281, 302.

<sup>3</sup>Kabul despatch 84 (3-7-1924).

<sup>4</sup>Kabul despatch 124 (2-10-1924).

<sup>5</sup>For the pay of the Afghan Army in 1926, see Diary M. A., Kabul, 18-6-1926.

<sup>6</sup>Kabul despatch 124 (2-10-1924).

<sup>7</sup>Kabul despatch 12 (15-2-1925).

<sup>8</sup>Kabul despatch 56 (17-7-1925).

<sup>9</sup>Kabul despatch (15-2-1925).

<sup>10</sup>Para. 281.

<sup>11</sup>Para. 273.

<sup>12</sup>Para. 344.

<sup>13</sup>Para. 270.

<sup>14</sup>Para. 357.

<sup>15</sup>Para. 344.

infantry. The recent despatch of military students to Turkey, and of aviation pupils to Russia and France<sup>1</sup> may prove more productive of results than similar projects in the past.

**339. The Press.**—With the appointment of a professional journalist in the person of S. Mahmud Tarzi as Foreign Minister,<sup>2</sup> a great stimulus was given to the Afghan Press, which came to demand attention as expressing not public opinion—for this can scarcely be said to exist—but the views, real or professed, of the Afghan Government. For it seems clear that the Press in Afghanistan has always been more or less controlled by the State, and there is reason to believe that the salary of the Editor of the 'Ittihad-i-Mashriqi' at any rate, is paid from State revenues.<sup>3</sup> The newspapers are:—

- 'Amani-i-Afghan' (Kabul).
- 'Ittihad-i-Mashriqi' (Jalalabad).
- 'Afghan' (Kabul).
- 'Ishab-un-Naswan' (Kabul, a ladies paper).
- 'Majmu'i-Askari' (Kabul, a military paper).
- 'Tulu-i-Afghan' (Kandahar).
- 'Ittifaq-i-Islam' (Herat).
- 'Islah' (Khanabad).
- 'Ittihad-i-Islam' (Mazar-i-Sharif).

Of these the first two are the most important.

In addition there is the fanatical 'Almujahid'<sup>4</sup> at present defunct, published in Chamarkand, which, although not an Afghan paper, is believed to have been subsidised from Afghan and Bolshevik sources.

Shortly after the establishment of the Foreign Legations in Kabul, the tone of the Press led to official representations by both the Russian and British representatives. The *démenti* of July 29, 1922 was certainly made in compliance with a Russian demand;<sup>5</sup> and the removal of the Editor of the 'Ittihad-i-Mashriqi' from his post in 1923 was due to similar action by the British Minister.<sup>6</sup>

Informal protests have subsequently been made from time to time as particularly hostile articles appeared;<sup>7</sup> but the Government of India have noted the necessity of keeping in view the embarrassment which might be caused by counter demands from the Afghan Government.<sup>8</sup> In September 1925 a formal protest was made by the Afghan Minister in London regarding a certain cartoon in the 'Star', and the Editor published an apologetic explanation.<sup>9</sup>

In July 1925, Sir F. Humphrys reported:—

The Afghan Press has now been placed under legal control by the promulgation of a Press Act, of which the following are the more important provisions. No person, other than an Afghan subject, is permitted to publish or edit a newspaper or periodical. The formal permission of the Home Ministry must be obtained, before a newspaper is published, and any change of proprietor or editor requires previous Government sanction. Penalties are provided for articles containing attacks upon the Royal Family, Foreign Legations, and Government officials. The law indeed, if effectively administered, leaves very little freedom for the Press.<sup>10</sup>

#### Afghan relations with other countries.

**340. France.**—In 1924 S. Nadir Khan, as already noticed, replaced S. Mahmud Tarzi as Minister at Paris. In view of the slight connection which France really has with Afghanistan, the status of those selected as Afghan

<sup>1</sup>Diary M. A., Kabul (24-9-1927, 2).

<sup>2</sup>Para. 20 (7).

<sup>3</sup>Kabul memo. 933 (18-10-1924) (A. S. XVI, 260).

<sup>4</sup>Para. 225.

<sup>5</sup>Para. 218.

<sup>6</sup>Para. 246.

<sup>7</sup>Vide Kabul memo. 933 (18-10-1924) (A. S. XVI, 260).

<sup>8</sup>Tel. 863 (26-6-1923), from Viceroy, to S. of S. (F. 517-F, 264).

<sup>9</sup>(A. S. XIX, 48).

<sup>10</sup>Kabul despatch 56 (17-7-1925) (A. S. XVIII, 205).

Ministers to France is noticeable. Consequently the fact that the French Legation at Kabul was left for nine months in charge of M. Cassin, a Junior Secretary, was resented by the Afghan Government.<sup>1</sup>

By June 1924 the French Legation had obtained permission, after a prolonged struggle with the Afghan Foreign Office, for the erection of a wireless receiving set outside the limits of the Legation, and communication with Paris was established.

In May M. Hackin, a French archaeologist, arrived, and after a month's stay in Kabul left to join M. Foucher at Balkh.<sup>2</sup>

The French educational mission was reported in July 1924 to be dissatisfied with its treatment by the Afghan Government, and official representations on the subject were made by the Minister.

In September and October Captain Bertrand the French Military Attaché, Kabul and Tehran, made the journey from Chaman to Tehran in a Citroen caterpillar car, reaching Meshed after eleven and a half days' actual travelling from Chaman.

In August 1925, M. Foucher, the archaeologist, returned to Kabul from Balkh, and characterised the results of his excavations as 'most disappointing.' He then left Afghanistan on a year's leave, and was succeeded by M. Barthoux, who declared his intention of abandoning Balkh for Bagram.<sup>3</sup>

In December 1925, Nadir Khan, Afghan Minister at Paris, approached a French banker, M. de Gunzburg, 'with a view to the formation of a French syndicate for the exploitation of mines, railways, etc., in Afghanistan'. M. de Gunzburg proposed 'British participation of at least 50 per cent.' in the scheme.<sup>4</sup> The British Minister at Kabul considered the prospects of financial success too doubtful for British capital to be risked, but recommended, in view of 'danger of Russians occupying empty field', that the syndicate should be assured of British goodwill.<sup>5</sup> The Government of India agreed with this view.<sup>6</sup>

In March 1926, however, it was reported from Paris that the de Gunzburg bank was about to be 'dissolved'.<sup>7</sup>

In September 1926, S. Nadir Khan, who was Afghan Minister in Paris and had fallen ill, was succeeded by Ghulam Nabi.<sup>8</sup>

At the same time the appointment of M. Feit, the French Consul General at Tangier, as Minister at Kabul was announced.<sup>9</sup> He reached Kabul on December 30, 1926.<sup>10</sup>

In March 1927, M. Vimar, the representative of a French electrical firm, was stated to have secured a contract for the erection of wireless stations in Afghanistan, at a figure which suggested second hand or inferior plant.<sup>11</sup>

In May sixteen Afghan students were reported to have been selected for instruction in aviation in France.<sup>12</sup>

341. Italy.—The Italian engineers were soon outstripped in Afghan favour by the Germans, and the doctors soon after their arrival began to evince the 'spirit of disappointment and discontent' shown by the rest of their fellow countrymen. At the head of the medical mission was Professor Regnoli who, being a gynaecologist of advanced years, was during the rebellion characteristically put in charge of military casualties at Baghrami, six miles from Kabul, a distance which he was required to cover on foot twice a day.

On July 27, 1924 one of the engineers, Piparno by name, shot dead an Afghan policeman, who had been ordered to arrest him, after he had refused to obey a summons from the Police Commandant of Kabul. The case in its bearing on the legal position of foreigners in Afghanistan is discussed elsewhere. At the

<sup>1</sup>Kabul despatch 111 (20-10-1926) (A. S. XX, 279).

<sup>2</sup>Kabul despatch 84 (3-7-1924) (A. S. XV, 142).

<sup>3</sup>Kabul despatch 104 (14-12-1925) (A. S. XIX, 145).

<sup>4</sup>(*Ibid.*, 165).

<sup>5</sup>Kabul Ex. letter 188-1 (6-2-1926) (*ibid.*, 215).

<sup>6</sup>Tel. 454 (6-3-1926), from Viceroy, to S. of S. (*ibid.*, 262).

<sup>7</sup>(A. S. XX, 12).

<sup>8</sup>Kabul telegram 115 (6-9-1926) (*ibid.*, 188).

<sup>9</sup>(*Ibid.*, 238). Note. For antecedents of M. Feit see Tangier despatch of 21-8-1926. (*ibid.*, 215).

<sup>10</sup>Diary M. A., Kabul (1-1-1927).

<sup>11</sup>Kabul tel. 40 (20-3-1927) (A. S. XXI, 109).

<sup>12</sup>Diary M. A., Kabul (14-5-1927).

time it caused dangerous excitement among the Fascists of the Italian colony, whom S. Toni was quite unable to control.<sup>1</sup> At the end of August Piparno was reported to have been condemned to death by the highest court.<sup>2</sup>

In January 1925 the case 'was settled in accordance with Muhammadan law of retribution, when Piparno was handed over to heirs of deceased, who pardoned him on receipt as blood money of a substantial sum.'<sup>3</sup>

The Amir however was apparently afraid to release him in the face of hostile public opinion, and he was sent back to jail until the rights of the State, as distinguished from those of the relations of the murdered man, were vindicated. In March however Piparno was allowed to escape,<sup>4</sup> but losing his nerve handed himself up to the Afghan guards on the Oxus frontier.<sup>5</sup>

On May 30, he was 'secretly retried, sentenced, and hanged in Kabul'.<sup>6</sup>

The Italian Minister in Kabul at this time was Dr. Cavicchioni, who had taken up his duties a few months previously.

As a result of this grave miscarriage of justice the Italian Government presented to the Afghan Minister at Rome demands for—

- '(1) public manifestation of regret, including visit to Italian Legation of Afghan Minister for Foreign Affairs, and salute, by company of Afghan troops with flag, to Italian flag,
- (2) return of blood money,
- (3) indemnity to Indian Government of £7,000, half of which shall be devoted to beneficent works in Italy, and half paid to Piparno's family.

Note also been presented by Italian Government to His Majesty's Government, referring to a proposal said to have been made by British, French, and German Legations at Kabul to make a collective *démarche* at Kabul in order that guarantee as to the position of foreigners in Afghanistan may be obtained..... They stipulate that first and foremost the basis of the proposed general *démarche* will be a satisfactory settlement of Piparno's case'.

On June 18, the British Minister telegraphed :—

'Regarding Italian note in Piparno case presented at Rome, I strongly deprecate association of His Majesty's Government in demands.....which have been formulated without the concurrence of His Majesty's Government, and which are I believe impossible of fulfilment as they stand.'<sup>8</sup>

At the same time the Government of India pointed out the probable consequences of such association :—

'Such a note if presented would probably provoke a storm of anti-European feeling, sedulously fomented by Russia, with Persia and Turkey almost certain standing out against us. Its rejection by Afghan Government would necessitate the withdrawal of the Italian Legation, and the withdrawal certainly of our personnel other than Legation and Consular personnel, and in the last resort of the Legation and Consulates themselves.....Consequences to ourselves would be of the gravest, for if they developed to the worst, Russia would be left in hardly disputed predominance in Afghanistan.'<sup>9</sup>

The British Minister's views were as follows :—

'I have now received....text of demands in Italian Note. Although first demand differs from version as telegraphed by Reuter, there is, in my opinion, no chance whatever that Afghan Government will accept it as it stands. In this view my French and German colleagues concur.'

Afghan flag, which is embroidered with Koranic inscription, has religious as well as a national significance. For reasons which he is telegraphing to Berlin, Grobba also objects strongly to demand for return of blood-money.

Reply given by Tarzi to first Note presented in Kabul by Italian Minister is to effect that execution of Piparno was justified under Afghan law, and it repudiates charge of

<sup>1</sup>Kabul despatch 105, (1-9-1924) (A. S. XVI, 61).

<sup>2</sup>Ibid.

<sup>3</sup>Kabul tel. 69 (31-5-1925) (A. S. XVIII, 93).

<sup>4</sup>Kabul tel. 39 (1-4-1925) (A. S. XVII, 255).

<sup>5</sup>Kabul tel. 61 (15-5-1925) (A. S. XVIII, 63).

<sup>6</sup>Kabul tel. 69 (31-5-1925) (*ibid*, 93).

<sup>7</sup>Tel. 17 (16-6-1925) from S. of S. F. A., to Min., Kabul (*ibid*, 121).

<sup>8</sup>Kabul tel. 79 (18-6-1925) (*ibid*, 128).

<sup>9</sup>Tel. 759 (19-6-1925), from G. of I., to S. of S. (*ibid*. 133).

inhumanity. I submit the following observations :—

- (1) The pusillanimity and gross mishandling by former Italian Chargé d'Affaires, who consistently failed to act upon salutary advice of his colleagues, has complicated case from the start.
- (2) Conduct of case by Afghan courts has been contrary to all civilised canons of justice.
- (3) Afghan Government have treated Italian Legation with shameful courtesy and duplicity.
- (4) Italian Government, by their precipitate action in formulating and publishing impossible demands without taking advice, have gravely prejudiced expectation of fulfilment of even moderate and sensible demands.
- (5) There is still faint chance that demand No. 1 and demand for indemnity may be accepted, if demand No. 1 is reduced to official visit of apology to Italian Legation by Afghan Foreign Minister, without Afghan soldiers, and without salutation of Italian flag, provided Amir, pending the issue, is made to realise that verdict of civilised world will certainly condemn circumstances attending Piparno's execution.

I recommend that :—

- (a) His Majesty's Government should not associate themselves officially in Italian demands, whether modified or not. My reason is that, in the most likely event of demands being rejected, Italian Legation would be withdrawn, but His Majesty's Government would be left in embarrassing situation, which is neither of their own choice nor making.
- (b) British Representative in Kabul should be directed at this stage to induce Amir to consider accommodating with Italy in conciliatory spirit. Whatever may be outcome of Italian demands, His Majesty's Government will be free to take steps in their own way, and with their own resources, for security of their subjects.
- (c) Collective *démarche* for subsequent guarantees should be treated as separate question to be taken up when various Governments concerned have had time to consider facts and implications of Piparno case.

When I have received His Majesty's Government's instructions on proposals which I shall submit with least possible delay, it should be possible to devise, in conjunction with my European colleagues, suitable form of Note.

I have impressed on Chauvet and Grobba vital importance of refraining from any action which will suggest demand for capitulations, and they propose, before addressing their Governments on the subject of future security, to consult me.<sup>11</sup>

The Government of India on this remarked :—

' We agree throughout with Minister..... except that at this stage we think it desirable to reserve judgment on the desirability of subsequent collective *démarche*, in which the chances of getting any Oriental Legation to join would presumably be very small.'<sup>12</sup>

On June 20, the Minister had an audience with the Amir, and pointed out the irregularities which had characterised the trial of the case, as well the necessity for making amends.<sup>3</sup>

Meanwhile the Italian Government had held up the delivery of a cargo of munitions, for which the Afghan Government had paid £25,000, and attached the Afghan Minister's bank balance at Rome, amounting to £15,000, in order to compel compliance with their demands :—

' This, I warned him, would be regarded by Amir as personal insult, and added that reprisals on Italian subjects in Kabul might be expected.'<sup>4</sup>

On July 14, news was received that

' Signor Mussolini has received note, couched in conciliatory language, from Afghan Government, which seems to hold out prospects of an early and satisfactory settlement. It has been pointed out by Afghan Government that a Moslem Power could not salute a flag which bore emblem of the Cross, and he has consented to substitute visit of apology to Italian Legation. Mussolini was also ready to meet Afghans on other points'.<sup>5</sup>

<sup>1</sup>Kabul tel. 82 (18-6-1925) (A. S. XVIII, 136).

<sup>2</sup>Tel. 772 (22-6-1925) from Viceroy to S. of S. (*ibid*, 139).

<sup>3</sup>Kabul despatch 48 (27-6-1925) (*ibid*, 162).

<sup>4</sup>Kabul tel. 92 (29-6-1925) (*ibid*, 167).

<sup>5</sup>Tel. 24 (14-7-1925), from F. O., to Min., Kabul (*ibid*, 186).

On June 26, 1925 the Secretary of State had informed the Italian Ambassador that 'His Majesty's Government.....regret that they are unable to associate themselves with the Italian demands', for reasons on the lines of those which had been suggested by the Government of India :—

' Is it proposed, then, in the event contemplated, to withdraw wholly or partly from diplomatic relations with Afghanistan ? To some European Powers such a course would involve no danger, and indeed hardly any inconvenience. But the Indian interests of His Majesty's Government, and their deep concern to maintain the political and dynastic *status quo* in Afghanistan, make it impossible for them to contemplate in present conditions any policy which might result in, or even drift towards, the cessation of diplomatic relations.'<sup>1</sup>

On August 4, it was learnt that the

' Italian demands have been reduced to :—

- (1) Visit by Under Secretary, Afghan Foreign Office, to Italian Legation to apologise on behalf of Afghan Government.
- (2) Dismissal of Chief of Police.
- (3) Payment of indemnity of £6,000.

I have had another interview with Tarzi in which, in most outspoken language, I summed up case'.<sup>2</sup>

On August 7, it was reported that the Italian Minister had received a note offering 'satisfaction differing in important essentials from that demanded', and conveying 'cynical repudiation of demand for indemnity previously accepted by Tarzi'.<sup>3</sup> Both the Italian and Afghan Governments were prepared to withdraw their respective Legations on August 14,<sup>4</sup> and the Italian Minister asked the British to take charge of Italian interests after his departure. His Majesty's Government strongly objected to this proposal as

' It would mean leaving Italian subjects as hostages in the hands of Afghan Government.....in such circumstances it would be impossible for His Majesty's Government to protect such hostages'.<sup>5</sup>

On August 14, 'a few hours before Italian Legation was due to leave Kabul Amir intervened personally. He told Cavicchioni that he would accept Italian demands'.<sup>6</sup>

The case was settled accordingly.

It however remained to 'secure from Afghan Government satisfactory explanation of juridical status of foreigners in Afghanistan'.<sup>7</sup>

The discussions directed to this object are noticed elsewhere.<sup>8</sup>

The *dénouement* of the Piparno case was fatal for the time being to Italian commercial interests in Afghanistan.

In April 1924, as has been mentioned,<sup>9</sup> there were stated to be 71 Italians in the country. Many of these left soon after the imprisonment of Piparno, and by the time the case was finally settled only eight remained.<sup>10</sup>

In April 1926 Dr. Cavicchioni's relations with the Afghan Government were reported to be 'very strained'. Professor Regnoli however, one of the few remaining non-official Italians, had been put in charge of the female hospital at Kabul.<sup>11</sup>

Dr. Cavicchioni left Kabul on June 5, 1926 on transfer, and the new Minister Commendatore Cecchi arrived in August. By October however he was already talking of his Legation being withdrawn.<sup>12</sup>

<sup>1</sup>(A. S. XVIII, 198).

<sup>2</sup>Kabul tel. 106 (4-8-1925) (*ibid.*, 227).

<sup>3</sup>Kabul tel. 109 (7-8-1925) (*ibid.*, 232).

<sup>4</sup>Kabul tels. 112 (10-8-1925) and 113 (11-8-1925) (*ibid.*, 239 and 240).

<sup>5</sup>Tel. 27 (13-8-1925), from F. O., to Min., Kabul (*ibid.*, 244).

<sup>6</sup>Kabul tel. 115 (15-8-1925) (*ibid.*, 249).

<sup>7</sup>Kabul tel. 116 (17-8-1925), (*ibid.*, 254).

<sup>8</sup>Para. 661.

<sup>9</sup>Para. 272.

<sup>10</sup>Kabul despatch 70 (29-8-1925) (A. S. XVIII, 289).

<sup>11</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>12</sup>Kabul despatch 111 (29-10-1926) (*ibid.*, 279).

342. **Germany: German predominance.**—In July 1924 the German employees of the Afghan Government were reported to be ousting the Italians:—

‘German engineers have been placed in charge of the Kabul wireless construction work at Dar-ul-Aman, and the Tang-i-Gharu road, and are also reported to have taken over the irrigation projects at Bagram and Jalalabad, and the Jabal-us-Siraj electric plant, from the Englishman and Indians who were previously responsible for them. Germans are also understood to be employed on irrigation works at Ghazni, and in building a section of the new telegraph line from Kabul to Kandahar. Progress in these undertakings, however, has probably been affected by the political situation.’<sup>1</sup>

From the Afghans point of view, the German appears to be a better bargain than the Italian, since the former is willing to accept lower pay and, it may be guessed, displays a greater capacity for working under difficulties. If, as was suggested in Kabul despatch No. 48, dated 7th April 1924, the Italians employed in this country are likely to fail through inefficiency and inability to adapt themselves to their surroundings, the Germans’ main weakness seems to consist in their low standard of professional and private morality. Their behaviour at Kandahar gave rise to some popular resentment, and since their arrival in Kabul two orgies at the German Legation have scandalised the orthodox, while more than one of the engineers has expressed his intention of losing no opportunity of profiting at the expense of his employers.<sup>2</sup>

After the death of Piparno the Germans of course had things still more their own way.

343. **The Deutsch Afghanische Company.**—In 1924 Ebner succeeded K. Wagner as the chief local representative of this firm, which had originally been known as the ‘German and Oriental Trade House’.

It was at this time carrying on a miscellaneous business, being interested in the possibilities of an air service between Kabul and Tashkent, the export of opium, the establishment of a bank in Kabul, and the private arms trade.<sup>3</sup>

In February 1925 the firm was reported to be doing a fair amount of business, to have acted as brokers in the purchase of silver for a new currency, and to have placed orders in Germany for wireless sets, machinery, and electrical materials. Herr Ebner however found himself hampered by the

‘orders of the Afghan Government which only permit him to trade with persons selected by themselves. These restrictions have enabled the merchants of Kabul to form a ring, and force up the prices of imported goods.’<sup>4</sup>

In August Ebner, under instructions from his Chargé d’Affaires, made overtures for British backing to a project for the establishment of a wireless installation, to communicate direct with Europe, by the Telefunken Company.<sup>5</sup> The negotiations, which came to nothing, are discussed elsewhere.<sup>6</sup>

The same year Ebner and Silbermann, the managing directors, were dismissed, having ‘committed the company to grandiose schemes, without any proper financial perspective’ and incurred a trading loss of £14,000 a year.<sup>6</sup>

#### **The application of the Versailles Treaty in Afghanistan.**

344. (1) **German ex-officers in military employ.**—In May 1924 the German Chargé d’Affaires informed the British Minister that the Afghan Government had approached four German ex-officers, who had come to Afghanistan as ‘engineers’, with a view to their employment in the local military school.<sup>7</sup>

His Majesty’s Government held that such employment would constitute a breach of article 179 of the Treaty of Versailles, and decided to draw the attention of the German Government to the matter.<sup>8</sup>

Dr. Grobba, on being informed accordingly, stated that the Germans in question had concluded secret contracts for military employment in addition to dummy civil contracts, and were engaged at the Afghan war ministry in the translation of military text books.<sup>9</sup>

<sup>1</sup>Kabul despatch 84 (3-7-1924) (A. S. XV, 142).

<sup>2</sup>Ibid.

<sup>3</sup>Kabul despatch 11 (14-2-1925), (A. S. XVII, 160).

<sup>4</sup>Kabul tel. 122, (26-8-1925), (A. S. XVIII, 282).

<sup>5</sup>Fara. 588.

<sup>6</sup>Kabul despatch 104 (14-12-1925), (A. S. XIX, 145).

<sup>7</sup>Kabul tel. 101, (7-5-1924), (A. S. XIV, 205).

<sup>8</sup>Tel. 29 (26-6-1924), from F. O. to C. d'A., Kabul, (A. S. XV, 100) (and see A. S. XV, 165).

<sup>9</sup>Kabul tel. 133, (8-7-1924), (*ibid*, 140).

The Amir was reported to be very annoyed at the action of Dr. Grobba, taken in pursuance of the instructions of his Government, with a view to terminate the military employment of these officers.<sup>1</sup>

In the autumn of 1925, Dr. Grobba enquired whether the contracts of these officers could be renewed without objection from His Majesty's Government, and whether other Germans could be engaged as military instructors.<sup>2</sup>

The Government of India hoped that some way of getting round Article 179 of the Versailles Treaty could be found since

'employment of German personnel both as military instructors and also in Afghan air force would obviously be valuable counterpoise to Russians, and might lead on to a gradual displacement of latter. Potential dangers of Russian penetration in the East must be realised even by the French.'<sup>3</sup>

His Majesty's Government, however, while they might have been prepared to refrain, temporarily at any rate, from making formal representations about existing contracts, could not

'acquiesce in the German Government committing any breach of its undertaking in Article 179 of the Treaty of Versailles to prevent its nationals from leaving Germany with the object of enrolling or giving instructions to the fighting services of other countries.'<sup>4</sup>

In April 1926 the British Minister reported that the contracts of Kaltenborn Stachau, Platen, and Christenn had been renewed, and that he had informed the Chargé d'Affaires as directed.<sup>5</sup>

In January 1927 it was reported that Kaltenborn Stachau had been appointed chief instructor in an artillery school established at Bagrami,<sup>6</sup> but in February his contract was said to have been terminated, at the instance, it was believed, of the Turkish Military Mission under Ismail Hakki Bey.<sup>7</sup>

In July 1926 the Minister commented on the great improvement in terms given to German employees of the Afghan Government who renewed their contracts,<sup>8</sup> and in January 1927 it was reported that the new pay, in some of these cases, amounted to £100 a month.<sup>9</sup>

345. (2) **German air personnel.**—In September 1924, at the height of the Khost rebellion, the same question arose in an acute form as regards the employment of the German airmen in operations against the rebels.

In accordance with orders received from His Majesty's Government in July and August,<sup>10</sup> the Afghan Government had been informed that delivery could not be made direct to German pilots, but they had not been warned, when the two British machines were supplied to them on payment, that German pilots would not be allowed to fly them.<sup>11</sup> Consequently some difficulty was felt in conveying to the Afghan Government the decision of His Majesty's Government<sup>12</sup> that such employment of the German pilots would contravene the provisions of the Treaty. It was then explained that His Majesty's Government had informed the 'French Government that their attention has been drawn to violation of Article, which is occurring at Kabul'; that 'immediate orders from Berlin prohibiting German pilots from flying are not, however, to be anticipated, as it is not intended to communicate with German Government until at any rate French Government have had ample time to reply'; and that 'it will be sufficient..... to warn Afghan Foreign Minister, informally and orally, that question of employment for Afghan military purposes of Germans has been raised between Allies, as bearing on Versailles Treaty, with a view to possibility that it may be considered necessary to make joint representation to German Government on the subject.'<sup>13</sup>

On October 18, the British Representative reported :—

'Oral communication in accordance with instructions was made by me to-day to Foreign Minister. Latter took it badly and said that, as German Government had had

<sup>1</sup>(A. S. XV, 239).

<sup>2</sup>Kabul despatch 104. (14-12-1925), (A. S. XIX, 145).

<sup>3</sup>Tel. 1111, (8-9-1925), from Viceroy, to S. of S., (*ibid.*, 12).

<sup>4</sup>Tel. 39, (16-12-1925), from F. O., to Min., Kabul, (*ibid.*, 133).

<sup>5</sup>Kabul despatch 29, (15-4-1926). (A. S. XX, 6).

<sup>6</sup>Diary M. A., Kabul, (29-1-1927), (1).

<sup>7</sup>Diary M. A., Kabul, (28-3-1927), (4).

<sup>8</sup>Kabul despatch 56 (26-1-1926). (A. S. XX, 143).

<sup>9</sup>Diary M. A., Kabul (15-1-1927), (3).

<sup>10</sup>F. O., Tels. 31, (10-7-1924) and 38, (11-8-1924), (A. S. XV, 150 and 245).

<sup>11</sup>Kabul tel. 183. (21-9-1924), (A. S. XVI, 121).

<sup>12</sup>F. O. tel. 43, (18-9-1924), (*ibid.*, 114).

<sup>13</sup>F. O. tel. 47, (10-10-1924), (*ibid.*, 226).

nothing to do with employment of German air personnel by Afghan Government, Article No. 179 did not apply. I said I was not authorised to argue interpretation of the Treaty, but only to give friendly warning that personnel might possibly be withdrawn.<sup>1</sup>

During the Khost rebellion Weisz, the airman, acquired a considerable reputation as a result of the few flights he carried out in the British machines,<sup>2</sup> but his skill only served to arouse Afghan suspicions that he must have had some previous connection with the British air force, and these were confirmed by a formal visit paid by him at the British Legation.<sup>3</sup> On the arrival of the Russian airmen he found himself hampered by their intrigues against him.<sup>4</sup>

On February 25, 1925 Brustmann, the other German airman, was shot dead by a compatriot in a private quarrel,<sup>5</sup> and in November of that year, Weisz, having failed 'to induce the Russians in charge of the Afghan air force to allow him to fly', left for Germany.<sup>6</sup> There were thus no German air personnel left in Kabul.

**346. (3) Export of arms from Germany.**—In September 1924, the German Chargé d'Affaires asked permission to import rifles and machine guns, for the defence of his Legation, from Germany.<sup>7</sup> This request was refused, as being contrary to Article 170 of the Versailles Treaty, by the Allied Military Commission, but 'so far as we are concerned', the Secretary of State said, 'there would be no objection to purchase of arms elsewhere.'<sup>8</sup> The Government of India considered it preferable 'that neither German Legation nor any other Legation should have machine guns'.<sup>9</sup> A joint *démarche* was addressed by the British, French, and Italian Representatives to the German Chargé d'Affaires, informing him of the decision of the Commission, and Dr. Grobba then stated his intention of purchasing the rifles in India.<sup>10</sup>

The necessary licence was granted by the Government of India.<sup>11</sup>

**347. The German School.**—The school, opened in June 1924 under Dr. Iven as a make-weight to the French institution, by February 1925 contained about 100 boys.<sup>12</sup> A few months later two more teachers joined the staff.<sup>13</sup>

**348. German difficulties.**—Early in 1924, two cases of Germans being molested in Kandahar had been reported.<sup>14</sup> In May 1925, Dr. Gerber, the Chief Engineer at Dar-ul-Aman, cancelled his contract as being 'unable to cope with the rapacity of Afghan public works officials', and at the same time it was reported that on several occasions shots had been fired into the premises occupied by the German Legation, and the non-official German personnel, respectively.<sup>15</sup>

**349. The Sauer case.**—On November 16, 1925 a German named Dr. Stratil Sauer, who was travelling by motor bicycle to Kabul, shot an Afghan in circumstances which are variously described. It appears that the German Chargé d'Affaires, after giving bail for Sauer's appearance before the Kabul police, attempted to smuggle him out of the country in his own car, but was stopped at Dakka.<sup>16</sup> Sauer was sentenced to four years' imprisonment by the Governor of Kabul in Council,<sup>17</sup> but received a royal pardon from the Amir.<sup>18</sup>

As regards the results of the case upon Afghan relations with Germany the British Minister remarked:—

'The clemency of the King was rewarded with the thanks of the German Government, and it might have been expected that this happy outcome would have left the Afghan Government well disposed towards the German Minister and the members of his Legation. At present, however, there are indications that the contrary is the case, and it seems

<sup>1</sup>Kabul tel. 196, (18-10-1924), (A. S. XVI, 253).

<sup>2</sup>Kabul despatch 124, (2-10-1924), (*ibid.*, 207).

<sup>3</sup>Kabul tel. 199, (15-11-1924), (*ibid.*, 282).

<sup>4</sup>Kabul despatch 12, (15-2-1925), (A. S. XVII, 160).

<sup>5</sup>Kabul despatch 34, (21-5-1925), (A. S. XVIII, 80).

<sup>6</sup>Kabul despatch 104, (14-12-1925), (A. S. XIX, 145).

<sup>7</sup>Kabul tel. 181, (16-9-1924), (A. S. XVI, 101).

<sup>8</sup>F. O. tel. 49, (29-10-1924), (*ibid.*, 267).

<sup>9</sup>Memo. 1-F., (3-11-1924), from G. of I., to Min., Kabul, (*ibid.*, 278).

<sup>10</sup>Kabul memo. 234-1, (7-3-1925), (A. S. XVII, 213).

<sup>11</sup>Memo. 966-F., (18-3-1925), from G. of I., to Min., Kabul, (*ibid.*, 224).

<sup>12</sup>Kabul despatch 12, (15-2-1925), (*ibid.*, 160).

<sup>13</sup>Kabul despatch 70, (29-8-1925), (A. S. XVIII, 295).

<sup>14</sup>Kabul despatch 48, (7-4-1924), (A. S. XIV, 77).

<sup>15</sup>Kabul despatch 34, (21-5-1925), (A. S. XVIII, 80).

<sup>16</sup>Kabul tels. 151, (30-11-1925) and 153, (1-12-1925), (A. S. XIX. 111 & 117).

<sup>17</sup>Kabul tel. 99, (2-8-1926), (A. S. XX, 145).

<sup>18</sup>Kabul tel. 101, (3-8-1926), (*ibid.*, 147).

likely that the more irreconcilable members of the Cabinet feel that the Germans have been let off too lightly.<sup>1</sup>

The case was moreover fatal to Dr. Grobba's relations with the Afghan Government, who demanded his recall. This request was accepted by the German Government,<sup>2</sup> and he was succeeded by Dr. Feigel as Minister.<sup>3</sup>

**350. The Afghan German Treaty of 1926.**—During 1924, negotiations were opened by Dr. Grobba for:—

'the conclusion of a Treaty of friendship, to be followed by a Trade agreement between the German and Afghan Governments. In spite of the fact that Dr. Grobba had been invested by his Government with plenipotentiary powers for this purpose, the Afghan Government.....instructed their Minister at Berlin to continue negotiations for the Treaty direct with the German Foreign Office. This affront.....caused Dr. Grobba to tender his resignation.'<sup>4</sup>

It was not until March 3, 1926, however, that a Treaty was actually signed in Berlin, and even then

'Its conclusion had been expedited for fear that any delay might have unfavourable reactions in connection with the Sauer trial.'<sup>5</sup>

Its terms conform generally to those of the other 'formal' treaties,<sup>6</sup> with the exception of Article 1, which is rather warmer in tone :—

'Henceforward as hitherto inviolable peace and sincere and lasting friendship shall prevail between Germany and Afghanistan.'

In February 1927, it was reported that the Afghan Government intended to open a National Bank in Kabul in charge of a German.<sup>7</sup>

**351. Russia.**—On March 5, 1924, Ghulam Nabi Khan, Afghan 'Ambassador' at Moscow presented his letters of recall, and was succeeded by S. Muhammad Hashim Khan, brother of S. Nadir Khan, as Minister.

'It will be observed that the title of Ambassador, which has hitherto been used in denoting the grade of the Afghan representative, has now been discarded.'<sup>8</sup>

In April M. Dolgopolov visited Kabul, perhaps to arrange preliminaries for a Russo-Afghan Trade Convention.<sup>9</sup>

During the Khost rebellion the energies of the Russian Legation appear to have been directed chiefly towards the exploitation, for propaganda purposes, of the escape of Abdul Karim.<sup>10</sup>

M. Stark, the new Minister, who had formerly been the Soviet Representative at Reval, reached Kabul on June 28, 1924.

At the close of the year the creation of nominally independent nationalist States, Turkmenistan, Uzbekistan, and Tajikistan, on the borders of Afghanistan was reported. There is good reason for thinking that the object of this step on the part of the Soviet Government was not merely to gain credit for practising the principles of self-determination which it had so fervently preached, but also, by inviting secession to the new States by the Turkomans, Uzbeks and Tajiks of Afghanistan, to prepare the way for annexation to the Soviet Union of the territory lying between the Hindu Kush and the Oxus.

A few months later the British Minister at Kabul reported the pursuance by M. Stark of a new policy of intensive penetration.

Evidence of this policy is to be found in an apparently increased readiness to fulfil the provisions of the Russo-Afghan Treaty, and to offer material assistance outside the terms of that Treaty; in the proposed establishment of a wireless station, a State Bank, and a local branch of the Vneshtorg, and in general penetration of the country by the employment, in various capacities, of a greater number of Russian nationals than heretofore.

<sup>1</sup>Kabul despatch 111, (29-10-1926), (A. S. XX, 279).

<sup>2</sup>Kabul tel. 41, (3-4-1926), (A. S. XIX, 255).

<sup>3</sup>Kabul tel. 89, (9-7-1926), (A. S. XX, 113).

<sup>4</sup>Kabul despatch 12, (15-2-1925), (A. S. XVII, 160).

<sup>5</sup>(A. S. XX, 33).

<sup>6</sup>See Appx. II, para. 717.

<sup>7</sup>Kabul tel. 17, (7-2-1927), (A. S. XXI, 70).

<sup>8</sup>Moscow despatch 1355 (7-3-1924), (A. S. XIV 119).

<sup>9</sup>Kabul despatch 84 (3-7-1924), (A. S. XV 142).

<sup>10</sup>Moscow despatch (15-8-1924), (A. S. XVI 219).

An estimate of the significance and success of this policy as a whole is attempted elsewhere,<sup>1</sup> and it is only necessary to mention here the particular events which have affected the course of Russo-Afghan relations during the period.

**352. Visit of M. Stark to Jalalabad.**—In March 1925 M. Stark paid a visit of ten days to Jalalabad, from the 6th to the 16th. It may be noticed that this visit did not coincide with the Amir's stay, since the latter only reached Jalalabad on the 19th, so that it was not strictly covered by the exception mentioned in Letter III attached to the Treaty.<sup>2</sup>

M. Stark was reported to have been 'extremely active in Jalalabad', and to have been in touch with M. Bashir.<sup>3</sup>

### 353. The Urtatagai incident.—

'On 19th December the 'Aman-i-Afghan' published a special sheet, edged with black, announcing that news had recently been received of aggression by a military detachment of the Union of Soviet Socialist Republics on the island. The immediate cause of this action is not definitely known, but there appears to have been a collision between Afghan guards stationed on the island and a body of Tajik villagers. Russian troops took the part of the villagers, and a fight ensued with casualties on both sides. The Russians installed military guards on the island.'<sup>4</sup>

There was an old dispute as to sovereignty over the island, which turned on the question whether the deep stream of the Oxus, or a fixed line, was the true boundary, and it transpired that the present collision arose out of alleged interference by the Afghans with refugees from Russia, who wished to return there.

On January 28, the Afghan Minister in London informed the Foreign Office of the conclusion reached by his Government 'that this act of aggression was merely the precursor to further acts which would culminate in the gradual absorption of Afghanistan', and enquired what the attitude of His Majesty's Government would be in the event of hostilities between his country and Russia.<sup>5</sup> A reply to this enquiry was deferred until February 17,<sup>6</sup> when the matter was already in course of settlement.

On February 28, 1926, the island was evacuated by Soviet troops and occupied by the Afghans.<sup>7</sup> As a result of a joint commission of enquiry, the island was finally received 'into complete ownership of Afghanistan. The only other important clause provides that inhabitants of island will be at liberty to declare, within six months, for permanent residence in Afghan or Soviet territory.'<sup>8</sup>

It soon became clear that the incident was not the outcome of any deliberate policy, but was recognised by the Soviet Government as a local blunder, to be retrieved as far and as quickly as possible. They never had the slightest intention of using it as an excuse for hostilities. Any 'will to war' that there may have been was all on the Afghan side. At the time, however, there was considerable excitement in Kabul, and this was increased by the news of an insurrection in Badakshan.<sup>9</sup>

'Amir assured me that, if Russians had repudiated original promise made by Stark, and had refused to accept his reasonable demands, he would have been compelled by public opinion to go to war.'<sup>10</sup>

**354. The Russo-Afghan Security Pact.**—Partly as a result of this incident, which increased the previous Afghan apprehensions of Russian aggression, a 'Pact of neutrality and non-aggression' between the Soviet Government and Afghanistan was signed on August 31, 1926.

Its terms were as follows :—

"Treaty of reciprocal neutrality and non-aggression between the exalted Government of Afghanistan and the Government of the Union of Soviet Socialist Republics, with

<sup>1</sup>Ch. XXII.

<sup>2</sup>Para. 193.

<sup>3</sup>Diary M. A. Kabul (20-3-1925) (2) and Kabul despatch 34 (21-5-1925).

<sup>4</sup>Kabul despatch 3 (11-1-1926) (A. S. XIX 172).

<sup>5</sup>F. O. tel. 1 (29-1-1926) (*ibid.*, 188).

<sup>6</sup>(*ibid.*, 269).

<sup>7</sup>Kabul tel. 45 (7-3-1926) (*ibid.*, 263).

<sup>8</sup>Kabul tel. 129 (25-9-1926) (A. S. XX 222).

<sup>9</sup>Kabul tel. 166 (26-12-1925) (A. S. XIX 153).

<sup>10</sup>Kabul tel. 43 (5-3-1926) (*ibid.*, 260).

the object of confirming the friendly relations and of strengthening the friendly neighbourly connections which happily, based on the treaty signed in Moscow on the 28th February 1921, subsist between the exalted Governments of Afghanistan and the Union of Soviet Socialist Republics. The said treaty preserves its force in all its parts, irrespective of the continuance or cancellation of the present treaty.

The plenipotentiaries of the exalted parties, His Excellency the Minister of Foreign Affairs of the Exalted Government of Afghanistan, Aqai Mahmud Beg Khan Tarzi, and His Excellency the Minister Plenipotentiary of the Union of Soviet Socialist Republics in Afghanistan, Aqai Leonid Stark, after exchanging their lawful credentials, which were found correct, on the 31st August 1926, at Paghman, framed and signed these articles, the object of which is to strengthen the friendly relations between the two Governments, and to ensure permanent peace.

#### ARTICLE 1.

In case of war or military action between one of the contracting parties and one or more third powers, the other contracting party undertakes to observe neutrality towards the first party.

#### ARTICLE 2.

Each of the contracting parties undertakes to abstain from all kinds of aggression against the other, and will not, even within the territory under its own occupation, take any such steps as may cause political or military injury to the other contracting Government. In particular each of the contracting parties undertakes that it will not join with another State or States in any political or military alliance or union directed against the other contracting party, and similarly it will not join in any boycott or financial and economic blockade directed against the other. In addition to this, should the policy of third party State or States be hostile in its action to either of the contracting parties, the other contracting party undertakes not only to abstain from assisting such hostile policy, but also to prevent the said policy, and inimical actions, and steps, within its own territory.

#### ARTICLE 3.

The high contracting parties, each reciprocally recognising the sovereignty and integrity of the other, undertake to abstain from all kinds of armed and unarmed interference in the internal affairs of the other contracting party, and also not to join or assist any other State or States, which may take steps against, or interfere with, the other contracting State.

The contracting parties will not permit any groups or individuals in their own territories to establish or to prosecute activities detrimental to the other contracting party; or to take steps for the subversion of the established government of the other contracting State; or to take any action against the integrity of the territory of the other contracting party; or to (mobilise) or collect armed forces against the other contracting party; and will prevent them from taking action. Similarly the parties will not countenance the transit through their territories of any armed forces, arms, firearms, ammunition, or the supply of any kind of war materials intended (for use) against the other contracting party, and likewise will (take active steps to) prevent the same from passing through its territory.

#### ARTICLE 4.

The contracting parties agree within four months to enter into discussions to determine principles for the solution of differences which may arise between them, and which cannot be settled through the ordinary diplomatic channels.

#### ARTICLE 5.

Each of the contracting parties, outside the limits of undertakings, the conditions of which are defined in this treaty, has freedom of action in taking steps to form any kind of relations and any kind of agreement with other States.

#### ARTICLE 6.

From the date of ratification, which should not be more than three months after it has been signed, this treaty will have the force of law and will remain in force for three years. After the expiration of the said period it will be understood that the treaty continues for a year more automatically unless either of the contracting parties has notified to the other party six months before the expiration of the period, its desire to terminate the enforcement of this treaty.

## ARTICLE 7.

Two copies of this treaty have been written, in Persian and in Russian, and both texts will have equal force.

Done at Paghman on the 31st August, 1926, corresponding to the Sumbala\*, 1305."

(Signed).

Foreign Minister,

Minister Plenipotentiary of the Union of Soviet Socialist Republics,

L. H. STARK.

MAHMUD BEG TARZI.

"*Protocol of the Treaty of reciprocal neutrality and non-aggression contracted between the Exalted Governments of Afghanistan and the Union of Soviet Socialist Republics, Paghman, 1305.*

## PROTOCOL.

The following signatories, who were correctly empowered to sign the treaty of reciprocal neutrality and non-aggression between the Government of the Union of Soviet Socialist Republics and the exalted Government of Afghanistan, by permission of their respective Governments, have exchanged the following statements on the occasion of signing the said treaty.

His Excellency Aqai Leonid Stark, Minister Plenipotentiary in Afghanistan of the Union of Soviet Socialist Republics, states that he has received permission from the Government of the Union of Soviet Socialist Republics to certify in the name of his Government that, on the occasion of signing the above treaty, the Government of the Union of Soviet Socialist Republics, having been faithful to the principles of the Treaty of 28th February, 1921, has no agreement with any State or States, contrary to the treaty contracted on the 31st August, 1926, regarding reciprocal neutrality and non-aggression. Similarly, he states on behalf of his Government that the Government of the Union of Soviet Socialist Republics certifies that, during the whole of the period for which this treaty of reciprocal neutrality and non-aggression remains in force, the said Government will not enter into such treaties or conventions as may be contrary to this treaty of reciprocal neutrality and non-aggression. The Union of Soviet Socialist Republics trusts that friendly relations between the Governments of the Union of Soviet Socialist Republics and Afghanistan, based on the treaty contracted in Moscow on the 28th February, 1921, and on the Treaty contracted at Paghman on the 31st August, 1926, will invariably increase and will be based on the lofty ideal of general peace.

His Excellency Aqai Mahmud Beg Khan Tarzi, Minister of Foreign Affairs of the Exalted Government of Afghanistan, states that he has received permission from the Afghan Government to certify in the name of his Government that, on the occasion of signing the above treaty, the Afghan Government, having been faithful to the principles of the Treaty of the 28th February, 1921, has no agreement with any State or States contrary to the treaty contracted on the 31st August, 1926, regarding reciprocal neutrality and non-aggression. Similarly, he states on behalf of his Government, that the Afghan Government certifies that, during the whole of the period for which this treaty of reciprocal neutrality and non-aggression remains in force, the said Government will not enter into such treaties or conventions as may be contrary to this treaty of reciprocal neutrality and non-aggression. The Afghan Government trusts that friendly relations between the Governments of Afghanistan and the Union of Soviet Socialist Republics, based on the Treaty contracted in Moscow on the 28th February, 1921, and on the Treaty contracted at Paghman on the 31st August, 1926, will invariably increase and will be based on the lofty ideal of general peace.

In confirmation of the above the following signatories have framed this protocol.

Done at Paghman on the 31st August, 1926, in two copies, in Russian and in Persian, both texts having equal force. 31st August, 1926, corresponding to the 8th Sumbala, 1305."<sup>1</sup>

S. Mahmud Tarzi in explanation of the Afghan attitude towards this pact stated that 'it was regarded by Afghan Government solely as guarantee of protection of northern provinces against Russian aggression.'<sup>2</sup>

From the Russian standpoint the pact was apparently intended not merely 'as part of her Eastern window dressing',<sup>3</sup> but especially to reassure Afghan public opinion after the severe shock it had received from the action of the

\*Date of Sumbala not given.

<sup>1</sup>Kabul despatch 80 (9-9-1926) (A. S. XX, 196).

<sup>2</sup>Kabul tel. 113 (4-9-1926) (*ibid*, 183).

<sup>3</sup>Tel. 1181 (5-7-1926), from Viceroy to S. of S. (*ibid*, 105).

Russian troops at Urtatagai. The British Minister's opinion as to its chances of success in this direction was as follows :—

' For my own part I do not apprehend that an instrument so colourless and so barren of material advantages is likely to make any strong appeal to the Afghan mind. The causes of Afghan distrust of Soviet designs on Afghanistan lie too deep to be removed by mere phrases of goodwill, and the fact that the plebiscite for the rendition of Panjdeh, which was promised in 1921 has been consistently burked by the Soviet ever since, will suggest that the new agreement stands no better chance of being observed.'<sup>1</sup>

There was, however reason to believe that, when this Treaty was first mooted, the Afghan Government attempted to secure ' something wider ' than the existing Russo-Afghan Treaty, including a defensive alliance against Great Britain.<sup>2</sup> Sir F. Humphrys was instructed to maintain an attitude of indifference, so long as nothing more objectionable than an agreement on the model of the Russo-Turkish pact was contemplated.<sup>3</sup>

**355. Russo-Afghan Trade Convention.**—The first meeting was held in Kabul on January 20, 1925 when it was reported :—

' Afghans hope to restore trade with Bokhara which is now practically non-existent, though in pre-Bolshevik days it was very flourishing. They will also endeavour to obtain goods in exchange for pre-war rouble notes, of which they hold a large quantity.'<sup>4</sup>

The negotiations were very protracted, being interrupted periodically by visits paid to Moscow by M. Lejawa Murat, one of the Russian delegates, and no convention had been concluded by the close of the period.

M. Stark left Kabul on September 15, 1926 on a year's leave; M. Sokoloff becoming Chargé d'Affaires.<sup>5</sup> M. Stark returned on September 14, 1927.<sup>6</sup>

**356. Persia.**—Itela-ul-Mulk's adherence to 'la souplesse as the only safe principle of diplomacy'<sup>7</sup>, and his flight from Kabul during the Khost rebellion,<sup>8</sup> earned him the good-humoured contempt of the Amir, and seem to have destroyed the little influence he ever enjoyed. He was recalled on the accession of Reza Shah Pehlevi,<sup>9</sup> and was succeeded by S. Mehdi Farukh (Mehtasim-us-Sultaneh) who reached Kabul on December 22, 1926.<sup>10</sup>

In August 1925 efforts made by the Afghan Consul at Meshed to induce Hazaras to return from Persia to Afghanistan led to a demand for his recall by the Persian Minister at Kabul.<sup>11</sup>

A Military Attaché was appointed to the Legation in the summer of 1926.<sup>12</sup>

**357. Turkey.**—During the Khost rebellion there was a wave of anti-Turkish feeling, owing to Jemal Pasha's connection with conscription, and Bedri Bey's with the Nizam Nama :—

' The provisions of the Nizam Nama or Fundamental Code which had been drafted by Bedri Bey were first misrepresented, and then denounced as the work of a nation which had deposed the Caliph and turned its back on Islam.'<sup>13</sup>

This feeling probably accounts for the fourth resolution of the Great Assembly held in July 1924 :—

' Turkish Government severely criticised for their action regarding Khalifate..... Article III of Turco-Afghan Treaty, which acknowledge Turkish religious leadership to be amended.'<sup>14</sup>

In February 1925 the Minister remarked :—

' The Turkish Minister, Fakhri Bey, has ceased to be a figure of any political importance in Kabul, and laments to me in private the loss of his former influence with the Amir. The Afghan Government considers that it has little or nothing to hope for from Turkey.'<sup>15</sup>

<sup>1</sup>Kabul despatch 80 (9-9-1926) (A. S. XX, 196).

<sup>2</sup>Tel. 1181 (5-7-1926), from Viceroy to S. of S. (*ibid*, 105).

<sup>3</sup>F. O. tel. 21 (13-7-1926) (*ibid*, 118).

<sup>4</sup>Kabul tel. 16 (27-1-1925) (A. S. XVII, 130).

<sup>5</sup>Kabul tel. 125 (14-9-1926) (A. S. XX, 205).

<sup>6</sup>Kabul tel. 108 (15-9-1927) (A. S. XXII, 138).

<sup>7</sup>Kabul despatch 45 (7-4-1924) (A. S. XIV, 77).

<sup>8</sup>Kabul despatch 124 (2-10-1924) (A. S. XVI, 207).

<sup>9</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>10</sup>Diary M. A., Kabul, 1927 (1) (3).

<sup>11</sup>Kabul despatch 74 (5-9-1925) (A. S. XIX, 21).

<sup>12</sup>Kabul despatch 56 (26-7-1926) (A. S. XX, 143).

<sup>13</sup>Kabul despatch 84 (13-7-1925) (A. S. XV, 142).

<sup>14</sup>Kabul tel. 144 (4-8-1924) (*ibid*, 213).

<sup>15</sup>Kabul despatch 12 (14-2-1925) (A. S. XVII, 160).

In August 1925 he is described as acting as—  
‘Jackal for the Russian Minister, by keeping him informed of the attitudes adopted by the European Legations. Most of his information was incorrect.’<sup>1</sup>

In December 1925 the Minister wrote—

‘Fakhri Pasha’s reputation has steadily declined. .... he has also succeeded in quarrelling with every member of his own Legation.’<sup>2</sup>

‘In the recent Urtatagai crisis he succeeded in betraying M. Stark, while pretending to work in favour of the Russian standpoint. His efforts do not however seem to have been exerted on the side of peace. .... he may have been sincere in his assertion that he would welcome a Russo-Afghan conflict, as likely to make Great Britain more amenable towards the Turks. .... Fakhri told me that he had come to a conclusion which he would never have believed possible three years ago, that Great Britain’s intentions towards Afghanistan were friendly.’<sup>3</sup>

In May 1926 Fakhri was succeeded by Nabil Bey, who ‘on his arrival expressed great disgust at the lack of courtesy with which he had been welcomed by the Afghan Government’.<sup>4</sup>

In the same month fifteen Afghan officers left Kabul for military training in Turkey, and later in the year were followed by fifteen more.<sup>5</sup> Several Turkish doctors were also reported to have been asked for by the Afghan Government.<sup>6</sup>

In January 1927 Ismail Hakki Bey arrived with five Turkish officers as instructors for the Afghan Army, and, unlike his predecessors, has been allowed to do some serious work.<sup>7</sup>

In April the Turkish Minister was believed to be ‘determined on creating bad feeling between the Afghan Government and other Legations.’<sup>8</sup>

The decline in Turkish prestige and influence in Kabul during the tenure of his post by Fakhri Pasha had been most marked. For this result his own stupidity and tactlessness were no doubt largely responsible; but the main reasons for it are probably to be found in the abolition of the Caliphate by Mustapha Kemal, and in the identification of the Amir’s Turkish advisers with the unpopular Fundamental Code and system of conscription.

With the advent of Nabil Bey however there seems to have been an improvement in Turko-Afghan relations, as evidenced by the despatch of Afghan military students to Turkey, and the reception of Ismail Hakki Bey and his staff in Kabul. The visit of the Turkophil S. Mahmud Tarzi to Angora in July 1927 may be expected to strengthen the *rapprochement* between the two countries.<sup>9</sup>

**358. Bokhara.**—In the autumn of 1924 a report was received of ‘a secret movement for the reinstatement of the *ex-Amir*, supported by the Afghan Government’, which was ‘frustrated, for the time being at any rate, by the outbreak of the Khost rebellion’,<sup>10</sup> and in November the Amir made a remark in conversation with the British Minister which possibly referred to this project.<sup>11</sup>

The *ex-Amir* of Bokhara, who had been refused permission to visit India in the winter of 1924-25, renewed his request direct to the Chief Commissioner, N. W. F. P.<sup>12</sup> In May 1925 the Russian Legation was reported to be bribing the *ex-Amir’s* adherents, and trying to induce them to return to their country.<sup>13</sup>

The ‘Pravda Vostoka’ of March 10, 1926 published an interesting article on Afghan relations with the *ex-Amir* (‘the pupil of the English’) and Afghan intrigues with the Basmachis, contrasting this behaviour with the peaceful disposition of Russia as shown in the matter of Urtatagai.<sup>14</sup>

The Afghan Minister in Moscow said that he had made it clear to the Commissariat of Foreign Affairs—

<sup>1</sup>Kabul despatch 70 (29-8-1925) (A. S. XVIII, 295).

<sup>2</sup>Kabul despatch 102 (14-12-1925) (A. S. XIX, 145).

<sup>3</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>4</sup>Kabul despatch 56 (28-7-1926) (*ibid*, 143).

<sup>5</sup>Note. In such cases Afghan officers are not permitted to wear uniform in India [F.-137-F. (1926), 2].

<sup>6</sup>Kabul despatch 111 (20-10-1926) (A. S. XX, 279).

<sup>7</sup>Diary M. A. Kabul (15-1-1927) (3).

<sup>8</sup>Kabul tel. 49 (13-4-1927) (A. S. XXI, 158).

<sup>9</sup>(See A. S. XXII, 79, 103).

<sup>10</sup>Kabul despatch 124 (2-10-1924) (A. S. XVI, 207).

<sup>11</sup>Kabul tel. 203 (17-11-1924) (A. S. XVII, 7).

<sup>12</sup>Kabul despatch 12 (15-2-1925) (*ibid*, 160).

<sup>13</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>14</sup>Moscow despatch 267 (8-4-1926) (A. S. XX, 61).

'That the sympathies of Afghanistan are all on the side of the insurgents, and that, if Afghanistan is not helping them, it is only because it cannot.'<sup>1</sup>

In 1926 Ibrahim Beg, 'the only Basmachi leader of any importance left alive in old Bokhara', entered Afghanistan with about twenty followers.<sup>2</sup>

**359. Poland.**—In April 1926 three Poles who had been imprisoned by the Bolsheviks, and were then in prison in Kabul, applied to the British and French Legations for assistance.<sup>3</sup>

The case was represented by Sir F. Humphrys to the Afghan Foreign Minister, who offered privately to put hem across the border at Torkham.<sup>4</sup>

They were subsequently released 'on occasion of audience with King of Count of Potocki',<sup>5</sup> who had proceeded to Kabul in February 1927, on a special mission, with presents for the Amir.

This mission was also intended to examine the possibility of establishing commercial relations between Poland and Afghanistan.<sup>6</sup> A Treaty between the two countries was concluded in July 1927. The text does not appear to have been received, but the treaty is said to be 'a short one, confirming mutual friendship, and containing an article establishing commercial relations.'<sup>7</sup>

It would probably not be safe to infer that the conclusion of such a Treaty in itself signifies any inclination on the part of Afghanistan to move away from Russia.

**360. Egypt.**—In June 1927, a proposal for the exchange of diplomatic representatives between Cairo and Kabul was reported; but the Egyptian Government rejected it on the ground that the expense of a separate mission to Kabul would be unjustifiable, while 'single representation at Kabul and Tehran', which had also been suggested, was 'physically impracticable'.<sup>8</sup>

**361. Retrospect of the Period.**—From April 1924 until the end of January 1925 the Amir was engaged in active operations for the suppression of the Khost Rebellion (para. 300). During its continuance he received valuable assistance from the Government of India, who also co-operated with him to prevent a renewal of hostilities in the spring of 1925. Nevertheless, owing to the unfortunate escape from surveillance in India of a son of Yakub Khan, named Abdul Karim, who put himself at the head of the rebels, openings were given for anti-British propaganda. Abdul Karim on the collapse of the rebellion fled to India, and was interned in Burma (para. 304). The rebellion had far-reaching results in Afghanistan; it exhausted the current financial resources of the State, discredited the Afghan Army, demonstrated the internal disunion of the races inhabiting the country, gave a check for the time being to the Amir's schemes for moral and educational progress, and led to deterioration in the administration of the Provinces (paras. 303-335).

But just when the internal affairs of his kingdom demanded the Amir's whole attention a series of incidents occurred which led to crises in his relations with Italy, Germany, and Russia successively. The execution of S. Piparno an Italian subject on May 30, 1925 was followed by demands for satisfaction from the Italian Government including one for the payment of an indemnity. These with certain modifications were eventually satisfied (para. 341).

In November of the same year the shooting of an Afghan by a German national, and the alleged attempt of the German representative to smuggle the latter out of the country strained the diplomatic relations between Afghanistan and Germany, and ended in the recall of Dr. Grobba, and the pardon of the German convict (para. 349).

In December there was a collision between Afghan and Russian troops on an island in the Oxus, the sovereignty of which had long been a subject of dispute. The incident caused considerable excitement in Kabul, but the question was eventually decided by a joint commission in favour of the Afghan Government, and a Pact of non-aggression was concluded between Russia and Afghanistan (paras. 353-354).

<sup>1</sup>Moscow despatch 361 (8-5-1926) (A. S. XX, 80).

<sup>2</sup>Kabul despatch 58 (26-7-1926) (*ibid*, 143).

<sup>3</sup>Kabul tels. 56 (1-5-1926) and 61 (13-5-1926) (*ibid*, 22 and 35).

<sup>4</sup>Kabul tel. 132 (5-8-1926) (*ibid*, 235).

<sup>5</sup>Kabul tel. 34 (28-2-1927) (A. S. XXI, 90).

<sup>6</sup>Warsaw despatch 35 (26-1-1927) (F. 393-F., 27).

<sup>7</sup>Constantinople despatch 376 (15-7-1927) (A. S. XXII, 105).

<sup>8</sup>Cairo despatch 366 (23-6-1927) (*ibid*, 53).

In all these incidents British influence had been exerted to induce the Amir to avoid any precipitate action, which would endanger the peace of the country, and the stability of his own position (para. 329.)

The Afghan attitude on the Indian frontier during this period was generally correct, (paras. 316, 325) and the subject which gave His Majesty's Government most concern was the Russian penetration of Afghanistan, which was reported to be increasing (para. 351).

Towards the end of the period a revival of interest and apprehensions on the part of the Afghan Government in regard to Indian frontier policy was noticeable, and led to a formal protest by the Afghan Minister in London (para. 328).

As opportunity offered the Amir made tours in the Provinces, inspecting Government offices, and personally overhauling the administration. In September 1927 an announcement was made of his intention to visit Europe (para. 333).

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**PART II.**

**CURRENT QUESTIONS.**

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## CHAPTER XVII.

### THE DURAND LINE.

**362. Durand Agreement—Its significance.**—The reasons which led the Government of India to propose sending the Durand Mission to Kabul are given in their despatch 155 of August 16, 1892.<sup>1</sup>

This despatch gave instances in which Amir Abdur Rahman had been extending his influence among the tribes, which the Government of India regarded as lying within their own sphere of influence.

' He has never rested in his endeavours to bring under his rule the whole of the independent tribes lying between Afghanistan and India, and he has treated our warnings on the subject with something not far removed from defiance.'<sup>2</sup>

One of the duties of the Durand Mission was to fix a limit to these encroachments ; another was to reassure the Amir ' regarding the piercing of the Kojak, and the extension of the railway line to new Chaman.'<sup>3</sup>

The significance of the Durand Line constituted by the Durand Agreement was negative rather than positive in character. It stated the limits beyond which the Government of India and the Amir respectively agreed not to go :—

' The Government of India will at no time exercise interference in the territories lying beyond this line on the side of Afghanistan, and His Highness the Amir will at no time exercise interference in the territories lying beyond this line on the side of India.'

The language of the Agreement was not however strictly ' bilateral ' ; for while the Durand Line is stated to form the ' eastern and southern frontier of His Highness' dominions ' it is nowhere stated that it forms the boundary of India. It is true that Article 5 speaks of leaving the ' Gwasha Post in British territory ', but the area in question is in the neighbourhood of Chaman, where there was no strip of ' independent ' territory, and where British administration had reached the Afghan border.

Consequently the Durand Agreement placed no positive responsibility on the Government of India for maintenance of order on the east and south of the line ; and it was even contemplated that the Amir should be free to take steps to punish tribesmen from the east of the line, who committed offences in his territory :—

' We do not contemplate that it need be our duty either to keep the Waziri tribesmen under strict control, or, if their conduct should invite reprisals, to shield them from the consequences of their own acts. The Waziri tribes might for the present be left in the same position as the Afridis, who, if they raid on the Amir's territory, are liable to be punished by the Amir, but on the understanding that he does not permanently occupy any portion of their country.'<sup>4</sup>

The tribes between the Durand Line and the British administered border were not in fact regarded as lying within the limits of India :—

' The independent tribes lying between Afghanistan and India.'<sup>5</sup>

and Sir H. Dobbs speaks of the ' verbal pledge, which I understand Sir Mortimer Durand gave to Abdur Rahman, that we would not attempt to administer up to the Durand Line.'<sup>6</sup>

**363. The question of ' rectification ' after the Third Afghan War.**—After the Third Afghan War several suggestions were put forward by local officers for the inclusion in the peace terms of provisions for ' rectification ' of the Indo-Afghan Frontier at different points.

(1) *In Chitral.*—The Assistant Political Agent said :—

' I earnestly trust Government will consider the feasibility in peace terms of retaining at least left bank of Bashgul river, as friendly Kamdesh Shaikhs will otherwise pro-

<sup>1</sup>Windham's Précis para. 202.

<sup>2</sup>Para. 10 of the despatch.

<sup>3</sup>Letter from Sir M. Durand to G. of I. (20-12-1893) (Progs. Jan. 1894, 194).

<sup>4</sup>G. of I. Despatch 155 (16-8-1892) (para. 25).

<sup>5</sup>(*Ibid.*)

<sup>6</sup>D. O. letter (8-7-1919) from Sir H. Dobbs to G. of I. (Progs. Oct. 1920, n. p. 46).

bably feel forced to migrate to Chitral..... Also Bashgul being generally unfordable would be excellent defensive boundary for Chitral'.<sup>1</sup>

The Chief Commissioner, N. W. F. P., after consulting the Government of India, replied :—

' With reference to Mehtar's message about Chitral..... Give him no hope of any territorial aggrandisement..... Nothing of the sort appears to be possible.'<sup>2</sup>

(2) *In Scistan.*—The Consul, who had telegraphed ' Whether or not such control involves inclusion in Persian Seistan of some part of Afghan Seistan, it would very greatly increase wealth and strength of Persian Seistan ',<sup>3</sup> received the reply :—

' The raising in peace negotiations with Afghanistan of any question touching Seistan is not contemplated by Government of India.'<sup>4</sup>

(3) *In Sharawak.*—The Agent to the Governor General Baluchistan wrote :—

' In the event of any rectification of the Afghani frontiers being considered..... I hope that the Government of India will not overlook the importance of securing against raids..... by arranging some modification of our boundary in the neighbourhood of Sharawak.'<sup>5</sup>

(4) This suggestion was included in the proposals for rectification made on strategic grounds by the Chief of the General Staff :—

(a) for advancing the line on the Khyber so as to include Basawal and Dakka ;

(b) for the annexation of Khost ;

(c) for the annexation of a large strip of country running from the north of Chaman down to and including the cultivated valleys of Jat Goti and Sharawak.

Sir H. Grant in discussing these proposals noted :—

' There is nothing in regard to which nations in general and Afghanistan in particular are more sensitive than territorial possession. History teems with examples of wars bred by ' irredenta.'

While fully appreciating the strategic considerations put forward, on political grounds we should strongly deprecate a demand at the forthcoming negotiations for any territory, except a small rectification of our frontier in the vicinity of Landi Kotal.'<sup>6</sup>

Sir H. Dobbs wrote :—

' Both Afghan and Islamic sentiment would, I have no doubt whatever, be profoundly outraged by any territorial annexation forced through now by us as the result of military and diplomatic pressure and threats, without Afghanistan being completely defeated in war. .... I have heard enough in conversation with leading tribesmen here<sup>7</sup> to know that they would be indignant at any annexation..... It is not considered that the Amir has been defeated, but that, after the first collision between his troops and the British, he has perceived his folly and repented.'<sup>8</sup>

These views were accepted.

364. *The Durand Line in the Kabul Treaty of 1921.*—Apart from references to the Khyber demarcation, Article V of the Treaty of Rawalpindi ran :—

' The Afghan Government accept the Indo-Afghan frontier accepted by the late Amir' and

*Article II of the Kabul Treaty :*—

' The two High Contracting Parties mutually accept the Indo-Afghan Frontier as accepted by the Afghan Government under Article V of the treaty concluded at Rawalpindi.'

The precise implications of these Articles have been the subject of considerable discussion. In his ' Treaty despatch ' Sir F. Humphrys argued that

<sup>1</sup>Tel. 1801 (29-6-1919) from N. W. F. to G. of I. (Progs. Aug. 1919, 365).

<sup>2</sup>Tel. 1911 (10-7-1919) from N. W. F. to A. P. A., Chitral (Progs. Sep. 1919, 13).

<sup>3</sup>Tel. 726-C. (25-6-1919) from Consul, Seistan, to G. of I. (Progs. Aug. 1919, 346).

<sup>4</sup>Tel. 1026 (12-7-1919) from G. of I. to C. D'A., Tehran (Progs. Sep. 1919, 24).

<sup>5</sup>Memo. 1015, (24-5-1919) from Baln. to G. of I. (Progs. Oct. 1920, 721).

<sup>6</sup>Minute by Sir H. Grant (20-6-1919) (Progs. Oct. 1920, n. pp. 27-33).

<sup>7</sup>i.e., in Baluchistan.

<sup>8</sup>D. O. letter (28-6-1919) from Baln. to G. of I. (Progs. Oct. 1920, n. p. 40).

Article I of the present Treaty, in which the Afghan Government give a guarantee to respect British independence, read with Article II (quoted above), afforded 'an absolute pledge.....to abstain from interference in tribal territory beyond his border.'<sup>1</sup>

Mr. Pears on the other hand considered that

'The desiderata are :—

(a) An unequivocal statement in the new Treaty that :—

(1) the Eastern and Southern Frontier of His Majesty the Amir's dominions from Wakhan to the Persian border shall follow the line shown in the map attached to this Treaty.

(2) His Britannic Majesty's Government will at no time exercise interference in the territories lying beyond this line on the side of Afghanistan, and His Majesty the Amir will at no time exercise interference in the territories lying beyond this line on the side of India.

(b) A determination on our part not to overlook or condone any attempts or subterfuges.....on the part of the Afghan Government.....to evade the exact terms and the spirit of the statement mentioned in (a).

Colonel Humphrys has traced the table of descent of the 1st and 2nd Articles of the Durand Agreement through the 1905 Treaty and the Rawalpindi Treaty to the Treaty of to-day. This makes three 'generations', and, with each 'generation', fresh loopholes for evasion have presented themselves to the Afghans.<sup>2</sup>

The Agent to the Governor General in Baluchistan agreed that the payment of Afghan allowances to our tribes and the invitation of our tribesmen to Afghan jirgas constituted a breach of Articles I and II of the Treaty.<sup>3</sup>

The Chief Commissioner, N. W. F. P., considered that the Jalalabad jirgas of 1923 'probably from a juristic point of view' constituted a breach of Articles I and II of the Treaty.<sup>4</sup>

The question was examined in the Legislative Department of the Government of India, and Sir M. Shafi's conclusion was :—

'It seems to me clear that the Amir of Afghanistan is precluded from exercising 'interference in the territories' lying on the Indian side of the Durand Line..... The real question is whether the three acts mentioned by Colonel Humphrys in paragraph 7 (3). .... of his despatch constitute 'interference in the territories' in question by the Amir, within the meaning of clause 2 of the Agreement of 1893. .... In these circumstances although the contention that the acts referred to by Colonel Humphrys constitute, by necessary implication, infringement of Article II of the Treaty of 1921 read together with the various clauses of the previous agreements already referred to, is possible of advancement, nevertheless I am of opinion that it would, from all points of view, be advisable not to leave the matter in the existing indefinite condition, but that articles I and II of the treaty of 1921 should be so expanded as to bring these matters expressly within the purview of the new treaty.'<sup>5</sup>

**365. The present interpretation of the Durand Agreement.**—Recent pronouncements of the Government of India, when compared with the language of despatch 155 of 1892, show a considerable advance in their views of the implications of the Durand Agreement.

That Agreement left the tribes 'independent' :—

'The tribes are admittedly free and in an independent territory, and that is stated in your own Gazetteer.'<sup>6</sup>

It is in order to meet such an argument that the word 'independent', in such phrases as 'independent territory' and 'independent belt', has now been officially replaced by 'tribal.'

Sir D. Bray in his speech of March 5, 1923<sup>7</sup> maintained that Afghanistan and India were now co-terminous along the Durand Line, with no intervening territory such as that mentioned in the Government of India despatch 155

<sup>1</sup>Kabul despatch 56 (4-12-1923) (A. S. XI. 40).

<sup>2</sup>Memo. 15042-97-4. (11-1-1924) from Wazirforce to G. of I. (A. S. XII 102).

<sup>3</sup>Memo. 17 (16-1-1924) from Baln. to G. of I. (*ibid* 152).

<sup>4</sup>Ex. letter 10 (3-1-1924) from N. W. F. to G. of I. (A. S. XI. 263).

<sup>5</sup>Minute by Law Member (2-1-1924) (*ibid* n. p. 26).

<sup>6</sup>S. Nadir Khan at 3rd Kabul Conference (A. S. IV 801).

<sup>7</sup>Para. 204.

of 1892. Further, as against the view expressed in that despatch that no immediate increase in the responsibility of the Government of India for control of the tribes would be involved in the Durand Agreement, there is the statement :—

' With the insistence of non-interference in our sphere goes necessarily the acceptance of responsibility for offences committed from it in Afghanistan..... But, if the principle is worth having, we must not shirk our responsibility ; for it is there for better or worse ever since we signed the Durand Agreement.'<sup>1</sup>

The subject was discussed in 1925 when, in a despatch examining the value from the Afghan standpoint of the present Treaty, Sir F. Humphrys wrote :—

' It appears that denunciation of the present Treaty, if it were not followed by a renewal of Treaty relations in some form, would render the political status of the independent belt, which lies between British India and Afghanistan an even more fruitful cause of friction and misunderstandings than it is at present. For here is not a question of the sanctity of a *de facto* administrative boundary between two sovereign states, but the formal recognition of an exclusive sphere of influence, which the Afghan Government might argue has been hitherto obtained by an implicit bargain.'<sup>2</sup>

The Government of India on the other hand maintained that ' the Durand Line would have sanction under international law independently of either ' of the treaties of 1921 or 1919. ' The boundary was defined, the territorial possessions rights and jurisdiction were confirmed or completed, and there was nothing more to be done under the treaties (*i.e.*, those concluded previously to 1919). The war of 1919 did not affect them.'

(It would however probably be difficult to explain this to the Afghan Government, in view of Sir H. Grant's letter of August 8, 1919, which stated,

' This war has cancelled all previous Treaties<sup>3</sup> ;

while it is interesting to notice that, in the negotiation of the Rawalpindi Treaty, it was the Government of India who desired the ' reaffirmation of Durand Line by new Amir<sup>4</sup> '.)

The Government of India went on to say :—

' As Sir Francis Humphrys points out, some difficulty might seem to arise from the use of the term 'sphere of influence' in the 1893 agreement. But even in the agreement of 1895 the words used were ' We..... deputed by our respective Governments to demarcate the boundary line between the territories of the Government of India and of His Highness the Amir of Afghanistan.' Similarly, in the Treaties of 1919 and 1921, the words used were ' the Indo-Afghan frontier accepted by the late Amir ' and ' the Indo-Afghan frontier as accepted by the Afghan Government '. Moreover, Article XI of the 1921 Treaty and Letter IV attached thereto speak of frontier tribes on both sides of the boundary line in the same terms, and, since Afghanistan does not contend that the territory occupied by the frontier tribes on her side of the boundary is not Afghanistan territory, it is not open to her to contend—nor was it intended to be open to doubt—that the territory on our side is not India. However loose may be the administrative control, in Waziristan for instance, the establishment of military stations, outposts, communications, and the promulgation of our intention to introduce revenue arrangements, are a clear indication of the intention of the Treaty that the territory on our side of the Durand Line is to be treated as part of India, and not independent foreign country with which we have merely special relations. Indeed for upwards of 700 miles the Durand Line forms the boundary between Afghanistan and Baluchistan, where British administration is effective and complete. The difficulty, therefore, that Sir Francis Humphrys feels is more historical than practical.'<sup>5</sup>

<sup>1</sup>Memo. 412 (1)-F-1 (26-10-1925) from G. of I. to N. W. F. and Baln. (F. 240-F. 1).

<sup>2</sup>Kabul despatch 42 (11-6-1925) (A. S. XVIII 123).

<sup>3</sup>Letter 7-P. O. (8-8-1919) from Ch. Br. Rep. to Ch. Af. Rep. (Progs. Oct. 1920, 797).

<sup>4</sup>Tel. 1014 (10-7-1919) from Viceroy to S. of S. (*ibid* 737).

<sup>5</sup>Letter 1-F. (20-8-1925) from G. of I. to U. S. of S. (A. S. XVIII 262).





## CHAPTER XVIII.

### DOKALIM AND ARNAWAI (CHITRAL).

366. **The Udny Agreement.**—Dokalim is the name of cultivated lands on the left bank of the Arnawai River (or 'Arandu Gol'), and to the south of the village of Arnawai (or 'Arandu').

Under Article 4 of the Durand Agreement of 1893, Mr. Udny and Sipah Salar Ghulam Haidar Khan met in 1895, as joint Commissioners, to lay down the boundary from the Hindu Kush range to Nawa Kotal. The following agreement, known as 'the Udny Agreement', was concluded by them, and confirmed by the Amir on December 19, 1895:—

"(I) That, on the western side of the Kunar river, this frontier will be the further or eastern watershed of the stream which in the idiom of Afghans is notorious, and known as the Landai Sin, pertaining to the limits of Kafiristan; and which in the survey map is also written by the name of Bashgal, so that all the country, of which the drainage falls into the Kunar river by means of this stream, belongs, and will belong, to Afghanistan, and the eastern drainage of this watershed, which does not fall into the Landai Sin stream, pertains to Chitral.

(II) That, on the eastern side of the Kunar river, from the river bank up to the crest of the main range which forms the watershed between the Kunar river and the country (lit. direction) of Barawal<sup>1</sup> and Bajaur, this frontier follows the southern watershed of the Arnawai stream, which falls into Kunar river close to the village of Arnawai, leaving to Chitral all the country of which the drainage falls into the Kunar river, by means of this stream, while the southern drainage of this last-mentioned watershed, which does not fall into the Arnawai stream, pertains to Afghanistan.

(III) That this frontier line, on reaching the crest of the main range, which in this neighbourhood forms the watershed between the Kunar river and the country (lit. direction) of Barawal and Bajaur, turns southward along this watershed, which it follows as far as a point in the neighbourhood of the Nawa Kotal, leaving all the country draining into the Kunar river within the limits of Afghanistan, and all the country draining towards Barawal and Bajaur outside the limits of Afghanistan; but beyond the aforesaid point, in the neighbourhood of the Nawa Kotal, the frontier has not at present been demarcated.

(IV) That, on both sides of the Kunar river, this frontier, as described in the three preceding articles, for the most part requires no artificial demarcation, because it is a natural boundary following the crests of mountain ranges; but since, at present, inspection *in situ* is impossible, when the ground is examined on the spot, it is probable that in the places where these mountain ranges abut on the Kunar river from either side, demarcation by pillars for a short distance from the water's edge on both sides of the river will be found desirable, for the purpose of separating the boundary of Afghanistan from Arnawai pertaining to Chitral, and the limits of the Kafir country (lit. Kafiristan) of the Landai Sin from Chitral. In that case these pillars will be erected along the line of the watershed described in the first and second articles of the present agreement, subject to any slight divergencies from this line which may be necessary to protect the local rights of villages adjoining the frontier.

(V) That the frontier pillars, wherever considered desirable, will be erected hereafter by an officer of the Government of India and an officer of His Highness the Amir, acting in concert.

(VI) That these watersheds, forming the frontier agreed upon as described in the first three articles of the present agreement, have been marked by a red line on the survey map attached to this agreement, which, like the agreement itself, has been signed by us both. In three places, *viz.*, (i) for a short distance from either bank of the Kunar river; (ii) in the neighbourhood of the Binshi Kotal; and (iii), in the neighbourhood of the Frepaman Kotal, this red line has been broken up into dots, because the exact position of the watershed in these localities has not been ascertained with perfect accuracy; but, wherever the watershed may lie, the frontier will follow it, subject only to any slight variations from the watershed which may be considered necessary under Article (4) of the present agreement.

(VII) That, since on the map attached to the Convention<sup>2</sup>, the Arnawai stream was drawn on the western side of the river in the place of the Landai Sin of the Kafir country

<sup>1</sup>Baraul of our quarter inch map.  
<sup>2</sup>i.e., the Durand Convention.

(lit. Kafiristan), which has been decided to pertain to the Afghan Government, and, since after inquiry and inspection of the same it was clearly ascertained by the survey party that the aforesaid stream is situated on the eastern side of the Kunar river, and falls into the river near the village of Arnawai, and that the drawing of it on the western side (of the river) in the place of the Landai Sin was a mistake, this Arnawai stream has (now) been drawn and marked on the present survey map in its own proper place, and that stream, which was drawn in the Convention map on the western side of the river, was the Landai Sin stream of the Kafir country (lit. Kafiristan), which has now been decided to pertain to the Government of Afghanistan and to be included in the limits of Afghanistan. Accordingly, in the present survey map it has been marked with the name of Landai Sin, and has also been written with the name of Bashgal. Moreover, Sao, and Nari, and Birkot, and the village of Arnawai, were not written on the map attached to the Convention, (but) now in the new survey map the names of all these four above-mentioned villages have been entered ; the village of Arnawai being written on the Chitral side of the boundary line, and Sao, Nari, and Birkot, on the side of the Government of Afghanistan."

367. **The case before 1919.**—The following extract from a précis prepared in the Foreign Department, Government of India, in 1922, gives the history of the case previously to the accession of the present Amir :—

**" Brief summary of the case regarding the Afghan-Chitral boundary dispute as affecting Dokalim.—**By the agreement of 1895<sup>1</sup> Arnawai was declared to be on the Chitral side of the border, and the fate of Dokalim was left to be determined at a later date. The Mehtar of Chitral had always regarded Dokalim as within his territory. The agreement indicated generally the line along which the boundary should run, but, at the same time, provided for slight modifications which might be found necessary to protect the local rights of the villages adjoining the frontier. This final demarcation was never carried out, and the old-standing doubt as to the ownership of Dokalim was thus perpetuated.

In 1896<sup>2</sup> Lieutenant G. K. Cockerill, of the Intelligence Branch, visited the tract in question on military duty, and gave it as his opinion that the boundary should be so aligned as to include Dokalim in Chitral territory ; but this cannot be said to have been an authoritative decision.

In the same year, the Afghans, claiming Dokalim as theirs, demanded revenue from the cultivators, and interfered generally with their liberty. This action of the Afghans was reported to the Government of India,<sup>3</sup> who considered it undesirable to make a representation to the Amir ; and held that the best course was to inform the Arnawai villagers that the Government of India recognised their right to the cultivation of the Dokalim lands, that these lands were in Chitral territory, and that the villagers would be protected in cultivating them. Before, however, passing final orders, the Government of India enquired from the local political authority whether steps could, if necessary, be conveniently taken for the protection of the Arnawai cultivators on the lands in question. The Political Agent, Chitral, replied that no immediate action seemed necessary, and that it would be practicable, if necessary, to locate a small levy post on the lands for the protection of the villagers, but he did not advocate this course, which would entail the risk of the Afghan and Chitrali officials coming into direct contact with each other.

Nothing further of importance occurred till 1912,<sup>4</sup> when it was brought to the notice of the Government of India that the Afghans had arrested some Chitrali police on duty at Dokalim, and had demanded revenue (*Ushar*) from the cultivators of those lands. The police were released with a warning not to patrol Dokalim again, as the place was in Afghan territory, but the exaction of *Ushar* caused a clash which resulted in some bloodshed. The Chief Commissioner, N.-W. F. P.,<sup>5</sup> seeing that petty disputes at this point of the frontier were increasing in frequency, recommended to the Government of India that an Afghan official should be deputed to meet the Political Agent, with the object of finally demarcating the disputed boundary. The Government of India did not view the Afghan aggression in Dokalim as directed against undisputed Chitral territory, and, as the Afghans have apparently always claimed Dokalim, and *Ushar* had been previously taken by them, thought it best for the Dokalim cultivators to pay *Ushar* under protest, and for the Mehtar of Chitral then to apply to the Political Agent, for an enquiry into their rights in Dokalim.

<sup>1</sup>S. F., June 1895, Nos. 894-937 (cor. pp. 11-12).

<sup>2</sup>S. F., Sep. 1896, Nos. 11-14 (n. p. 3).

<sup>3</sup>S. F., May 1897, Nos. 202-213 (cor. p. 5).

<sup>4</sup>S. F., Sep. 1912, Nos. 45-62 (cor. pp. 1, 3, 5).

<sup>5</sup>Ibid. (cor. p. 5).

Provided a good case could be made out, the Government of India were prepared to address the Amir on the subject. The suggested payment of *Ushar* was, however, not made, as a private arrangement was come to between the inhabitants of Arandu, of which village they regarded Dokalim as forming a part, and their Afghan neighbours.

In September 1912,<sup>1</sup> the Chief Commissioner, N.W. F. P., reviewed the whole position respecting Dokalim, and invited the consideration of the Government of India to the matter. He pointed out that there was no desire on the part of the Afghans to evict the present cultivators so long as they continued to pay revenue, but there were grounds for believing that behind the demand for revenue there was a desire to obtain a footing in the Arandu river valley, where the grazing was of considerable value. In his opinion, the dispute had reached an acute stage, and, unless action was taken, petty disturbances seemed likely to recur. He did not advocate the employment of force, but pressed his recommendation for a settlement by the formal demarcation of the frontier.

Accordingly, on the 21st October 1912,<sup>2</sup> the Viceroy addressed the Amir, informing him that, for some time past, disputes had occurred between His Majesty's subjects and the subjects of the Mehtar of Chitral with reference to the Dokalim lands, and that these lands were claimed by Afghan subjects as part of Afghanistan. His Excellency explained the boundary settlement of 1895, and said that, after full enquiries, he was satisfied that from time immemorial the Dokalim lands had belonged to, and been cultivated by, the Arnawai villagers, and that these lands had always been accepted as an integral part of Chitral. His Excellency felt that His Majesty would agree that, over so trifling a matter, it was not desirable to go to the trouble and expense of appointing special officers of the two Governments to go to the spot and demarcate the boundary. At the same time, it was undesirable that this dispute, which was likely to lead to disturbances and bloodshed, should continue. His Excellency trusted, therefore, that the Amir would be able to accept the assurance that, after full enquiry, it had been established that these lands belonged to Chitral, and would issue orders to prevent his subjects from further interference in this vicinity. The Viceroy also remarked that, were he not satisfied of the rights of the Chitral claim, he should not ask the Amir to take this friendly action. In conclusion, His Excellency added that if His Majesty was unable to accept this view, he had no alternative but to ask him to depute an officer to meet a representative of the Government of India on the spot, and arrange for the demarcation of this portion of the frontier in accordance with the terms of the Agreement of 1895, though he deprecated this course as involving unnecessary trouble both to His Majesty and to the Government of India.

To this communication the Amir replied on the 5th March 1913,<sup>3</sup> intimating that he had sent a deputation to the spot to ascertain the facts of the case, with strict regard to justice, and to report the result to him. His Majesty promised to send an answer to the Viceroy on completion of the investigation. No further reply ever reached the Government of India, though they learnt that some Afghan officials had visited Dokalim towards the end of March 1913,<sup>4</sup> and had inspected the boundary.<sup>5</sup>

**368. Arnawai in the Mussoorie and Kabul negotiations.**—During the Third Afghan War the Afghans seized Dokalim and Arnawai, and in April 1920, during the Mussoorie Conference, made an incursion with a force of 300 men as far as Lambarbat, which they captured. The Conference was suspended in consequence of this and other instances of aggression.<sup>6</sup> Orders were issued to the Officer Commanding, Chitral, to expel the Afghan force<sup>7</sup>, which was now reported to have reached Damernisar, ten miles still further up the Kunar.<sup>8</sup> The Afghan version was that this incursion had been made by Abdur Rahman of Chitral, and not by Afghan regulars.<sup>9</sup> The British Representative was however informed that orders had been issued for the evacuation of Lambarbat.<sup>10</sup> Arandu and Dokalim,

<sup>1</sup>S. F., July 1913, Nos. 3—14 (cor. pp. 1—15).

<sup>2</sup>Ibid. (cor. p. 9).

<sup>3</sup>Ibid. (cor. p. 13).

<sup>4</sup>S. F., July 1913, Nos. 3-14 (cor. p. 15).

<sup>5</sup>Mr. Dobbs' memo. (27-4-1920) (Progs. Oct. 1920, 453).

<sup>6</sup>Tel. 522 (30-4-1920), from Viceroy, to S. of S. (*ibid* 455).

<sup>7</sup>Letter 12 (2-5-1920), from Br. Rep., Mussoorie, to Supdt., For. Aff., Afghan. (*ibid* 466).

<sup>8</sup>Tel. 38 (13-5-1920), from Br. Rep., Mussoorie, to G. of I. (*ibid* 484).

<sup>9</sup>Letter from S. Mahmud Tarzi 25 (20-5-1920) (*ibid* 515).

however, remained in Afghan occupation. The Chief Commissioner, N.-W. F. P., trusted that it would be made clear that temporary acceptance of such occupation 'in no way prejudices final settlement of disputed boundary in this quarter'.<sup>1</sup>

Mr. Dobbs wrote to S. Mahmud Tarzi :—

' I note that the evacuation of Arnawai which under the Boundary Agreement, dated 9th April 1895, is specially included in Chitral, has not yet been effected, but I am confident that this will now be arranged.'<sup>2</sup>

At the Sixth Meeting of the Conference S. Mahmud Tarzi complained of the reoccupation of Lambarbat by the Chitrali forces, claiming that this was a breach of the understanding on which it had been evacuated. Mr. Dobbs explained that there had been no such understanding. At the same meeting Abdul Hadi said that Arnawai would not be evacuated, unless and until a satisfactory settlement between the two Governments was reached at the Conference.<sup>3</sup>

At the final meeting Mr. Dobbs demanded the evacuation of Arnawai :—

" The continued occupation of Arnawai by your troops constitutes an open violation of the frontier. The British Government expects you to withdraw them, since otherwise the signing of treaties with you becomes useless. I know.....that you argue on this point that the British occupation of Torkham is contrary to the Treaty of Rawalpindi, and that the Afghan occupation of Arnawai is a justifiable counterstroke to that..... There is in our eyes no parallel whatsoever between the cases of Torkham and Arnawai."<sup>4</sup>

During the Kabul negotiations it was agreed that rupture, which was regarded as imminent, should be accompanied by a demand with a time limit for the evacuation of Arnawai.<sup>5</sup>

In the course of those negotiations the great importance which the Amir attached to the retention of Arnawai became apparent :—

' He argued that the Afghans should retain Arnawai ; but he apologised formally, when I made it clear that this was impossible, for undiplomatic language which he had used at former meeting to the effect that rather than evacuate it he would fight.'<sup>6</sup>

' I pointed out that Arnawai was not ours to surrender, and that we were giving up Torkham with the sole object in view of securing return of Arnawai to Chitral without unpleasantness.'

The Amir, after the Treaty was signed, denied all knowledge of the conversation of November 13, and then explained privately that he dared not announce to his Council that he had not secured the retention of Arnawai.<sup>7</sup>

At last on November 29, the Amir surrendered the point, and gave orders for the withdrawal of all Afghan soldiers from Arnawai and its restoration to Chitral. ' He made a condition that no fortifications be erected there by us or Chitral. I accepted this condition.'<sup>8</sup>

The agreement on the point was put in writing,<sup>9</sup> and the Mehtar of Chitral informed accordingly.<sup>10</sup> The wording of the letters on the subject requires notice. Sir H. Dobbs wrote :—

' I undertake on behalf of the British Government and of the State of Chitral that no fortifications or military works shall be constructed on the territory thus restored to the possession of Chitral ; '<sup>11</sup>

while S. Mahmud Tarzi's expression was :—

' I as a token of friendship confirm what you have understood, and have received a strong hope from my Government that they will withdraw the forces of the Government of Afghanistan from that place.'<sup>12</sup>

<sup>1</sup>Tel. 513 (23-5-1920), from N.-W. F., to G. of I. (*ibid* 522).

<sup>2</sup>Tel. 52 (23-5-1920), from Br. Rep., Mussoorie, to G. of I. (*ibid* 520).

<sup>3</sup>Progs. of the 6th Meeting (Progs. Jan. 1921, 24).

<sup>4</sup>Progs. of the 17th Meeting (*ibid* 137).

<sup>5</sup>Tel. 202 (15-2-1921), from G. of I., to Br. Rep., Kabul (A. S. IV, 827).

<sup>6</sup>Tel. 370 (14-11-1921), from Br. Rep., Kabul, to G. of I. (A. S. VI, 497).

<sup>7</sup>Tel. 399 (23-11-1921), from Br. Rep., Kabul, to G. of I. (*ibid* 588).

<sup>8</sup>Tel. 410 (29-11-1921), from Br. Rep., Kabul, to G. of I. (*ibid* 626).

<sup>9</sup>Tels. 420 (2-12-1921) and 188 (5-12-1921), from Br. Rep., Kabul, to G. of I. (*ibid* 658 and 673-A.).

<sup>10</sup>Tel. 2787 (9-12-1921), from G. of I., to N.-W. F. (*ibid* 694).

<sup>11</sup>Letter 141 (30-11-1921), from Sir H. Dobbs, to Af. For. Min. (*ibid* 705).

<sup>12</sup>Letter 118 (2-12-1921) from S. Mahmud Tarzi, to Sir H. Dobbs (*ibid*).

The local Afghan officials however delayed compliance with their instructions, if these had really issued, and on January 22, 1922, after a reminder on the subject, S. Mahmud Tarzi telegraphed that the necessary orders had been sent.<sup>1</sup> It appears that the evacuation of Arnawai was actually carried out on January 17, but did not extend to 'lands known as Dokalim'.<sup>2</sup> The Mehtar's representative accordingly gave a receipt for only 'half Arnawai'.<sup>3</sup>

**369. After the Evacuation of Arnawai.**—In April 1922 the British Minister was told to reopen the question of Dokalim with the Afghan Government, on a suitable opportunity.<sup>4</sup>

In July 1923 the Minister reported that he had discussed the case with the Afghan Foreign Minister, who said that the matter was under consideration by the Afghan Army Department. The Minister noted

'the possibility that the Afghan Government hope in the course of negotiations for the next Treaty, to use their occupation of Dokalim in support of a demand for modification of the existing frontier at some other point, e.g., in the neighbourhood of Torkham'.<sup>5</sup>

(It is worth noticing that although Sir H. Dobbs had told the Afghan delegates at Mussoorie that there was no parallel whatsoever between the cases of Torkham and Arnawai, he had given the Amir to understand that there was a practical connection between the two.<sup>6</sup>)

The views of Sir N. Bolton as to the importance of the question were stated in his memo. No. 10310 of November 15, 1923.<sup>7</sup>

The Government of India in forwarding this communication to the Minister pointed out.

'the importance of avoiding anything that might be construed as acquiescence in the construction of a tower by the Afghans in Dokalim'.<sup>8</sup>

The Afghan Foreign Minister then promised to issue orders that no tower should be constructed in Dokalim pending settlement of the dispute.<sup>9</sup> Such a tower was however built, and garrisoned by the Afghans.<sup>10</sup> The Afghan Foreign Minister said that, if this had been done, it was contrary to his orders, and that the tower, if already built, would not be occupied pending a decision of the whole question.<sup>11</sup>

The Chief Commissioner considered it unlikely that a Joint Commission would be able to reach a satisfactory settlement, especially as the tower in Dokalim commanded the Afghan post at Birkot.

The Political Agent thought it might be advisable to include in the Commission a Chitral official nominated by the Mehtar.<sup>12</sup>

In May 1925 the Chief Commissioner forwarded a report from the Assistant Political Agent, Chitral, showing the actual state of things existing in October 1924, together with a letter on the subject from the Officer Commanding, Chitral Force, dated April 1, 1925.<sup>13</sup>

In March 1926 the Government of India after consulting the Minister at Kabul addressed the Chief Commissioner, N.-W. F. P., forwarding a note which summarised the existing situation and proposing:—

"To recommend to His Majesty's Government that, while the Afghan Government should be invited to agree to a joint commission to decide the disputed question of the sovereignty of Dokalim, they should be reminded of the Afghan Foreign Minister's promise to His Majesty's Minister, Kabul,<sup>14</sup> and asked to issue orders for the evacuation of the tower, that has been erected in Dokalim.

We must clearly, however, be prepared for the Afghan Government not to give such orders, or at any rate for the evacuation not to be carried out within a reasonable time. In

<sup>1</sup>Tel. (22-1-1922), from Af. For. Min., to Sir H. Dobbs (A. S. VII, 78).

<sup>2</sup>Tel. 65 (19-1-1922), from N.-W. F., to G. of I. (*ibid* 55).

<sup>3</sup>Tel. 244 (23-2-1922), from Viceroy, to S. of S. (*ibid* 181).

<sup>4</sup>Tel. 1541 (13-4-1922), from S. of S., to Viceroy (*ibid* 265).

<sup>5</sup>Kabul memo. 244 (7-7-1923) (A. S. VIII, 69).

<sup>6</sup>Paras. 368, 383.

<sup>7</sup>(A. S. IX, 270).

<sup>8</sup>Memo. 574 (15-12-1923), from G. of I., to Min., Kabul (A. S. XI, 82).

<sup>9</sup>Kabul tel. 1 (2-1-1924) (*ibid* 231).

<sup>10</sup>Letter 1651 (6-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 24).

<sup>11</sup>Kabul memo. 76 (5-3-1924) (*ibid*. 194).

<sup>12</sup>Memo. 869 (17-3-1924), from N.-W. F., to G. of I. (*ibid* 233).

<sup>13</sup>Memo. 1202 (2-5-1925), from N.-W. F., to G. of I. (550-F, 19).

<sup>14</sup>Kabul tel. 1 (2-1-1924) (*ibid* 20).

this event the best course would seem to be to tell the Afghan Government that the construction of the tower is a violation of the condition attached by the Afghan Foreign Minister himself in 1922 to the evacuation of Arnawai,<sup>1</sup> and that His Highness the Mehtar of Chitral is consequently free to construct a post at a suitable point in the vicinity in order to protect the Arandu valley from the encroachments now being made beyond Dokalim by the Afghan local authorities. As regards these encroachments higher up the Arandu valley, it would seem advisable to warn the Afghan Government that as the boundary here is absolute, His Highness the Mehtar has every right to eject trespassers by force.

If action were taken on these lines it would, of course, have to be made perfectly clear to His Highness the Mehtar that he has no authority to attack the Afghan position at Dokalim itself ; that, although he is not precluded from using force, if necessary, in order to prevent encroachments higher up the Arandu valley, it is highly desirable to avoid bloodshed in attaining this object ; that Government do not anticipate that he will find it necessary for the protection of his rights to do more than effect the peaceful arrest of trespassers from Afghan territory ; and that should it appear likely that such measures will prove insufficient for the purpose, the question of any further action should be referred for the orders of Government. In any steps taken under such instructions it would seem advisable that His Highness should follow the advice of the local Political Officers, and that, if possible, the Assistant Political Agent, Chitral, should be present when any arrest of Afghans is actually made ".<sup>2</sup>

The note enclosed with this letter was as follows :—

" 1. The history of the case was summarised as lately as 1922,<sup>3</sup> and to make this note self-contained would therefore involve unnecessary repetition. It is now only intended to trace the successive stages of Afghan aggression in this area.

2. It must be borne in mind that the maximum extent of alleged Afghan ' aggression ' is apparently only about 32 square miles, and that as one form of this ' aggression ' is spasmodic demands for ' Ushar ' or revenue, it is naturally impossible to fix a definite high-water mark for each successive wave of Afghan encroachment since 1895.

3. The following maps may be referred to :—

- (1) The ' Udny ' map.<sup>4</sup>
- (2) The ' Roos-Keppe ' map<sup>5</sup> (a big scale map which shows Dokalim clearly).
- (3) The ' Bolton ' map.<sup>6</sup>

It seems unfortunate that Udny showed a *broken* red line on his map at all. The course of this part of the line was admitted to have no authority, and to be subject to subsequent modification ; but the Afghans appear to have seized on it as giving them a claim to the Dokalim tract of 83 acres, which drains into the Kunar.

4. The course of Afghan encroachment may be indicated as follows :—

*Step 1—1898.—The Afghans lay claim to Dokalim.*—A report<sup>7</sup> is received that the Afghan authorities are interfering in, and claiming revenue from, Dokalim. (This was subsequently denied<sup>8</sup>, but must apparently have been founded on fact.)

*Step 2—1912.—Afghan occupation of Dokalim and exclusion of Chitralis from it.*—The demand for revenue is maintained.<sup>9</sup> Chitrali police are arrested in Dokalim by Afghans, who make their first *spasmodic*<sup>10</sup> claim to lands beyond Dokalim on the left bank of the Arandu River.

*Step 3—1919.—Afghans garrison Dokalim, and make ' pronounced '<sup>10</sup> encroachment on lands higher up the left bank of the Arandu River.*—During the third Afghan War the Afghans seize Arnawai and Dokalim and, under the terms of the peace negotiations in 1921, evacuate Arnawai<sup>11</sup> but not Dokalim.<sup>11</sup> The

<sup>1</sup>Tel. (22-1-1922) from Af. For. Min., to Sir H. Dobbs (A. S. VII, 77).

<sup>2</sup>Letter 574-F. (22-3-1926), from G. of I., to N.-W. F. (F. 550-F., 20).

<sup>3</sup>Memo. 607-2-F. (26-5-1922), from G. of I., to Min., Kabul (A. S. VII, 363).

<sup>4</sup>Enclo. of letter 60 (4-5-1895), from Mr. Udny, to G. of I. (S. F., June 1895, 903).

<sup>5</sup>Enclo. of letter 367½-N. (11-6-12), from N.-W. F., to G. of I. (Progs. Sept. 1912, 57).

<sup>6</sup>Enclo. of D.O. 11079-P. (19-11-1925), from N.-W. F., to G. of I. (F.-550-F., n. p. 5).

<sup>7</sup>Enclo. of letter 2019-F. (28-7-1896), from G. of I., to P. O., Dir & Swat (Progs. Sep. 1896, 12).

<sup>8</sup>Letter 256 (2-8-1896), from P. O., Dir & Swat, to G. of I. (*ibid* 13).

<sup>9</sup>Enclo. of letter 1419-N. (17-9-1912), from N.-W. F., to G. of I. (Progs. July 1913, 3).

<sup>10</sup>D.-O. 1201-P.C. (30-4-1925), from N.-W. F., to G. of I. (F. 550-F., n. p. 4).

<sup>11</sup>Tels. 60-P. (18-1-1922) and 65-P. (19-1-1922), from N.-W. F., to G. of I. (A. S. VII, 50, 54).

Chitralis, in order to keep their claim to Dokalim alive, give<sup>1</sup> a receipt for 'half Arnawai.' The Afghans garrison<sup>1</sup> Dokalim permanently with 20 men.

*Step 4—1914-25.—Consolidation of position at Dokalim and continued encroachment along left bank of Arandu River.*

1924—A tower<sup>2</sup> is built in Dokalim.

1925—May.—A bridge<sup>3</sup> is thrown across Kunar opposite Dokalim.

1924—October.—The Assistant Political Agent, Chitral, reports<sup>4</sup> that 'Afghan domination, supported by periodical visits of irregulars and minor officials from Birkot, extends all along the south bank of the Arandu Gol from Dokalim to Zakhni'.

5. The present position is :—The Afghans, by a gradual process of encroachment (consisting of, first, demands for revenue, then occupation, and lastly fortification) have established themselves in Dokalim. This area has, however, always been disputed territory since 1895, and they may consider that, in accordance with the Udny map, they have a genuine claim to it, until at any rate the boundary is actually demarcated.

Encouraged by their success here, and by the attitude<sup>5</sup> of the Government of India who were unwilling to risk a collision with the Amir over such a petty dispute, the Afghans appear to be now, by a similar process, encroaching upon an area which has never been disputed, and in which they have no shadow of right. The authority for this view will be clear from a reference to Udny's correspondence<sup>6</sup> with Ghulam Haidar and the map thereto attached. Ghulam Haidar offered<sup>7</sup> Udny a line through Shergal, which would give Sao to Afghanistan and Nari to Chitral. Udny, as a generous gesture, and 'because the crest of the Arnawai spur is a better physical boundary than any line that could be drawn southward of it, and secondly, because, as you pointed out to me in our conversation yesterday, this spur is almost opposite to what will be the boundary westward of the river' declined<sup>8</sup> this offer. The red line in the map runs unbroken along the southern watershed of the Arnawai (or Arandu) River, and no village rights can modify it. It is only where the watershed abuts on the river, i.e., where the line is broken, that village rights come into the picture.

6. As regards motive,<sup>9</sup> it is doubtful whether the Afghans have any strategic objective, and are deliberately making for the Lowari in order to straddle and close the main route to India. Kabul is certainly interested in Dokalim, because of the prominence given to the question in the Dobbs' negotiations, but the unwarrantable aggression higher up the Arandu valley may not be inspired by any authority more remote than Asmar, where it may be suspected, a large proportion of the 'Ushar' collected sticks."

The Chief Commissioner in reply deprecated bringing the Mehtar into the settlement of the part of the dispute, which related to the encroachment higher up the Arandu valley than Dokalim, about which 'our attitude with the Afghans should be uncompromising.' The latter should be presented with a demand that encroachment in this area was unjustified and should be terminated. In regard to the encroachment at Dokalim itself, 'about which it is necessary to admit argument and may possibly be necessary to make concessions', the Afghans should be invited to agree to a joint commission, to settle and demarcate the exact position of the boundary.<sup>10</sup>

The Government of India then offered some further explanation of their proposals which appeared to have been misunderstood; and the Chief Commissioner agreed that the demands should be presented, but made certain suggestions including one for postponement of the construction of a tower by the Mehtar of Chitral, in order to obviate the likelihood of local friction, and proposed that the joint commission should settle and demarcate the boundary on both banks of the Kunar river.<sup>10</sup>

**370. The Afghan Government formally addressed.**—In July 1926 the Chief Commissioner, in forwarding reports on the situation by the Assistant Political Agent Chitral, remarked :—

'From these reports it is apparent that neither the Afghan Government nor their local officials have committed any definite act of encroachment in the Arandu Valley

<sup>1</sup>Tel. 244-S. (23-2-1922), from G. of I., to S. of S. (A. S. VII, 181).

<sup>2</sup>Letter 1651-P. (6-2-1924), from N.-W. F., to G. of I. (F. 550-F., 10).

<sup>3</sup>Enclo. of D.O. 1201-P. C. (30-4-1925), from N.-W. F., to G. of I. (*ibid* n. p. 4).

<sup>4</sup>Enclo. of Memo. 1202-P. C. (30-4-1925), from N.-W. F., to G. of I. (*ibid* 19).

<sup>5</sup>Tel. 246-S. (18-6-1912), from G. of I., to N.-W. F. (Progs. Sept. 1912, 55).

<sup>6</sup>Enclos. of letter 60 (4-5-1895), from Mr. Udny, to G. of I. (S. F., June 1895, 903).

<sup>7</sup>Letter (22-2-1895), from Mr. Udny, to Sipahsalar Ghulam Haidar Khan (*ibid* 906).

<sup>8</sup>Enclo. of Memo. 1202-P. C. (30-4-1925), from N.-W. F., to G. of I. (F. 550-F., 19).

<sup>9</sup>Letter 24-C. (12-6-1926) from N.-W. F., to G. of I. (*ibid* 23).

<sup>10</sup>Letter 2036 (5-7-1926), from N.-W. F., to G. of I. (*ibid*, 26).

for the last three years, but that the local officials claim the land on the left bank of the Arandu Gol on the ground that it is the grazing area of Dokalim village, of which they are in possession.<sup>1</sup>

After some further discussion and with the approval of His Majesty's Government, Sir F. Humphrys addressed the Afghan Foreign Minister, referring briefly to previous correspondence and conversations on the subject, and concluding :—

" I am now desired by my Government to invite the Afghan Government :—

- (i) To recognise and to treat the lands known as the Arandu Gol as British territory, in accordance with the above-mentioned Agreement.
- (ii) In consonance with the terms of the Agreement which was confirmed on the 19th December 1895, to agree to the appointment, at an early date of the Joint Commission to decide and to demarcate the actual boundary in the vicinity of Dokalim, and also on the west bank of the Kunar river.

I am also desired by my Government to recall the undertaking given to me personally in December 1923, by His Excellency Muhammad Wali Khan, the then Foreign Minister, that, pending the settlement of the boundary, no tower should be constructed in Dokalim, or, if constructed, should not be occupied ; and I am to request that, pending the decision of the Joint Commission, the tower which has actually been built may be evacuated."<sup>2</sup>

In reply the Afghan Foreign Minister wrote that he could not give a definite reply from the records which he had at his disposal, and

" therefore proposed that the question should be postponed for the present. As to the future, it will I think, be well that my Government should appoint a delegation to visit Dokalan (Dokalim) and Arandu Gul (Gol), and with a delegation to be detailed by the British Government, to enquire into and settle the two questions mentioned in your letter."<sup>3</sup>

Further correspondence followed as to the meaning of this reply and the exact terms of reference.

It was eventually decided with the approval of His Majesty's Government that the duty of the Commission would, under Article IV of the Udny Agreement, be to decide and demarcate the boundary and " would not cover either ' limitation of fortification ' or evacuation of Dokalim tower pending decision<sup>4</sup> " ; that consequently the terms of reference should be limited to sub-paragraph 2 of Sir F. Humphrys' letter 415-4 of October 22, 1926 ; that no further reference should be made to the Arandu Gol, since a small portion of the catchment area of the Arandu Gol in the vicinity of Dokalim<sup>5</sup> was admitted to be in dispute ; and that unwillingness of the Afghan Government " to evacuate the tower pending findings of Commission, or to agree regarding ultimate disposal of their works, would not constitute a bar to acceptance of Commission ", the meeting of which should be arranged as soon as possible.<sup>6</sup> There the question of the Commission seems to have rested.

**371. The Afghans claim Ram Ram.**—In July 1926 the Assistant Political Agent, Chitral forwarded a communication from a local Afghan official in which a claim was made that Ram Ram was in Afghan territory. The Assistant Political Agent remarked :—

" Three years ago an Afghan Captain went as far as Ram Ram, and since then no Afghan official has ventured further afield than Dokalim.<sup>7</sup>

A year later the Chief Commissioner reported a revival of this claim by the Hakim of Kunar and Asmar who wrote :—

" Muhammad Sharif Khan, Subedar of Chitral, with one hundred men came to Ram Ram which is in the Afghan territory, and recovered revenue from there..... Now Malik Muhammad has recovered..... revenue from Ram Ram..... This is all creditable to the Afghan Treasury."<sup>8</sup>

<sup>1</sup>Memo. 429 (30-7-1926), from N.-W. F., to G. of I. (F. 550-F, 36).

<sup>2</sup>Letter 415-4 (22-10-1926), from Min. Kabul, to Af. For. Min. (*ibid*, 43).

<sup>3</sup>Letter 2004 (14-2-1927), from Af. For. Min., to Min., Kabul (*ibid*, 56).

<sup>4</sup>Tel. 859 (18-3-1927), from S. of S., to Viceroy (*ibid*, 48).

<sup>5</sup>F. O. tel. 25 (27-4-1927) (*ibid*, 62).

<sup>6</sup>Kabul tel. 69 (10-5-1927) (*ibid*, 65) and F. O. tel. 29 (20-5-1927) (*ibid*, 67).

<sup>7</sup>Memo. F. D. 345, (22-7-1926), from A. P. A., Chitral, to P. A. Dir., Swat & Chitral (*ibid*, 36).

<sup>8</sup>Letter (3-1-1927), from Hakim-i-Kalan, Kunar, to A. P. A., Chitral (A. S. XXII, 51).

The Assistant Political Agent was instructed to reply to the Hakim that, as Ram Ram was within Chitral territory as defined by the Udny Agreement, the Mehtar of Chitral was at liberty to collect what revenue he pleased from the inhabitants of that place.<sup>1</sup>

**372. Claim for compensation by the Mehtar of Chitral for losses due to Afghan aggression in this area.**—In January 1922 the Chief Commissioner, N.-W. F. P. forwarded an application for compensation by the Mehtar of Chitral on account of an annual loss of Rs. 15,000 of revenue from Arandu and its adjoining lands, during the time that it was 'separated from Chitral'. This estimate it was explained did not include a nearly equal loss, due to the Afghan seizure of Dokalim.<sup>2</sup>

On a further reference the Mehtar put his revenue losses for three years at Rs. 21,960, and his losses in cattle and other property at Rs. 94,800.<sup>3</sup>

The Chief Commissioner recommended a payment of Rs. 45,000 as compensation.

There was no Treaty with Chitral, but Sir G. Robertson had announced, at the installation of the Mehtar in 1895, that the foreign relations of Chitral were the concern of the British Government, who would protect the country from foreign aggression, and have a garrison in it sufficient for this purpose.<sup>4</sup> The Foreign Secretary noted:—

'I agree that his moral claim against us for compensation is tindeniable, and though we have no definite Treaty with him our solemn undertaking.....gives him something more than a moral claim.'<sup>5</sup>

It was decided that Rs. 22,000 should be paid as compensation for the Afghan occupation of Arnawai<sup>6</sup>, as an 'act of grace', and that 'it would be unprofitable to take up the question of Dokalim, which remains where it did'.<sup>7</sup>

Should a joint commission now find that the Afghans had been in wrongful possession of Dokalim, it seems possible that the Mehtar might revive his claim to compensation on this account.

<sup>1</sup>Memo. 1499 (16-7-1927), from N.-W. F., to G. of I. (F. 550-F., 69).

<sup>2</sup>Letter 249 (6-1-1922), from N.-W. F., to G. of I. [F. 2 (1), F. 1923 (1)].

<sup>3</sup>Memo. 799 (14-6-1922), from N.-W. F., to G. of I. (*ibid*, 7).

<sup>4</sup>Progs. S. F., Nov. 1895, 571.

<sup>5</sup>Note by For. Secy. to G. of I. (22-2-1922) [F. 2 (1)-F. 1923, n. p. 3].

<sup>6</sup>Memo. 920 (11-8-1927) from G. of I., to N. W. F. (*ibid* 9).

<sup>7</sup>Memo. 258 (22-8-1922) from G. of I., to N. W. F. (*ibid*, 5).

## CHAPTER XIX.

### THE BOUNDARY IN MOHMAND COUNTRY.

NOTE.—The tribal divisions do not exactly correspond with the boundaries shown in the map opposite, as the latter follow topographical details.

373. **The position discussed and defined.**—The question of the boundary in Mohmand country is a complicated one, which has frequently demanded consideration since Amanullah's accession.

After the close of the Third Afghan War His Majesty's Government contemplated a realignment of the boundary near Kam Dakka, in return for a concession in the Bohai Dag in Mohmand country.<sup>1</sup>

In April 1924, Sir F. Humphrys enquired the precise status of Muhasil, a Mohmand raider;<sup>2</sup> and in June of that year, in connection with a summons from the Governor of the Eastern Province to a Halimzai Mohmand,<sup>3</sup> the whole international position in Mohmand country was examined; and the following statement of the case made by the Government of India :—

'A note prepared in this Department in which are summarised the more important communications exchanged between the Amir of Afghanistan and the Government of India, is appended to this letter. It is not all directly relevant to the question now at issue, *viz.*, whether the Bohai Dag is to be regarded as part of Afghanistan or not. But it has been thought desirable to include all letters dealing with the delimitation of the frontier, although the actual delimitation (*i.e.*, the definition of the line dividing the Bohai Dag from the country of the Assured Clans) forms a subsidiary operation, which has not yet been carried out. In briefest outline the facts, as they now appear to the Government of India, are that Amir Abdur Rahman felt, rightly or wrongly, that he had been overreached in the delimitation of the Mohmand boundary concluded as part of the Durand Agreement. He protested and claimed the whole of the Mohmand tribe as included within the limits of Afghanistan. In order to get the matter settled once and for all, the Government of India, on the 2nd January 1897, made to the Amir a definite offer of the Bohai Dag. A time limit (up to 31st January 1897) for the acceptance of the proposal was fixed; and the offer was accepted by the Amir on January 13th, 1897.'

Further and abortive correspondence followed regarding the demarcation of the boundary so agreed upon. The Amir was unwilling to fall in with the somewhat exacting requirements of the Government of India regarding escorts, etc., and an effort to persuade him to accept a map giving a description of the agreed tribal divisions also failed. But he accepted the tribal divisions specified in the Viceroy's letters of July 7th and November 12, 1896, and it is on the tribal divisions that the Government of India have in practice taken their stand up to the present time. The Assured Clans receive allowances from Government, and have regular dealings with its officers. With the tribes of the Bohai Dag Government has no concern. Moreover, when in the course of the 1897 disturbances Government troops were about to enter the Bohai Dag, the Viceroy on 6th September gave the Amir previous warning, explaining that he did not wish the Amir to regard any such action as indicating an intention to vary or depart from 'what we have agreed upon as the dividing line in Mohmand country.'

Notwithstanding the letter of 26th May 1903 in which the late Amir Habibulla Khan was informed that 'the whole question of what portion, if any, of the Bohai Dag was to be allowed to Afghanistan in modification of the Agreement of 1893, was left over pending suitable arrangements for the demarcation of the frontier' (*sic*). It thus seems impossible seriously to contend that there is any dispute over the main question. The only matter unsettled is the precise geographical definition of the tribal division, and on their present reading of the facts the Government of India would not be justified in repudiating the 1897 Agreement, until the Afghan Government definitely does so itself. The letter to the Amir of 26th May 1903 cannot affect the obligation lying upon Government of adhering to an unconditional offer formally made to the Amir, and accepted by him, and is apparently to be explained as part of a policy directed towards persuading Amir Habibulla Khan to conclude a Treaty, and agree to some definite and geographical division of the tribes.

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<sup>1</sup>Tel. (16-7-1919), from S. of S., to Viceroy (Progs., Oct. 1920, 740).

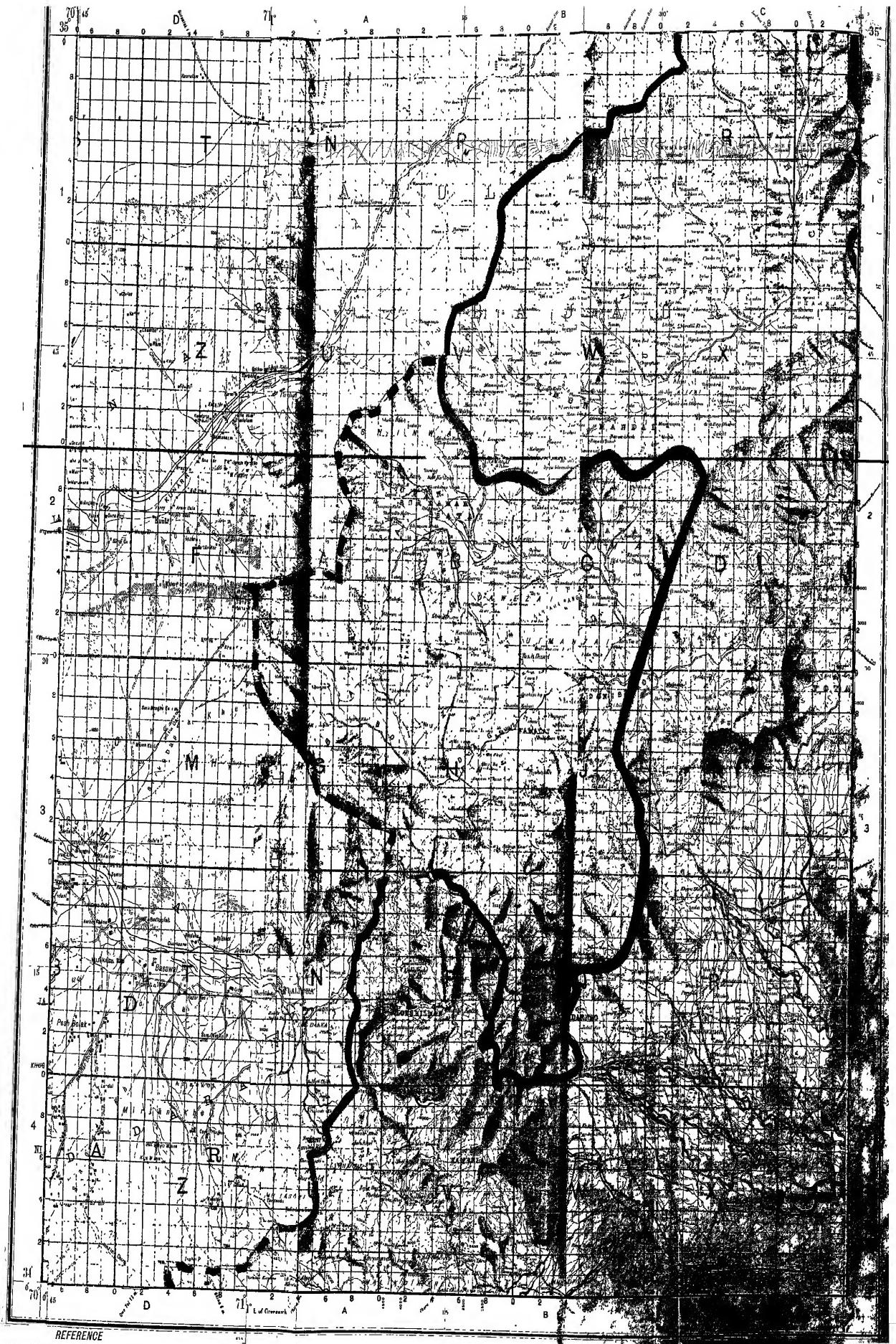
<sup>2</sup>Kabul memo. 154 (8-4-1924) (A. S. XIV, 76).

<sup>3</sup>Kabul letter 406 (28-6-1924) (A. S. XV, 119).









## REFERENCE

<i>id line, demarcated</i> .....	[redacted]
<i>" undemarcated</i> .....	[redacted]
<i>ximate boundary claimed by Amir</i> .....	[redacted]
<i>rn boundary of country of Baizai</i> <i>and Khwaizai Mohmands</i> } .....	[redacted}



Published under the direction of Colonel E. S.

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*These words were written by the author in 1900.*

Certain additions to climate have been made in the advertisement supplied by the American Telephone

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*Page of Postscript) When you have to return*

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was available.

— 1 —

Copies of this map can be obtained by stamp from the Survey  
India Office (Map Record & Sale Branch) Calcutta Price -  
Rupee or with boundaries colored One Rupee Ten Anna.

The small minute squares appertaining to each ten minute letter we numbered from 00 in the S. W. corner, and points within them are located by co-ordinates, exactly as in the grid described on page 62 of the Manual of Map Reading and Field Sketching.





I am to ask for your comments on the conclusions summarised above, and for an expression of your views on the question whether Government should be content to acquiesce in the continued existence of an undemarcated border on this portion of the frontier, and whether serious difficulty is to be apprehended should demarcation be considered desirable.

*Boundary in Mohmand Country.*—The boundary shown in the map attached to the Durand Agreement<sup>1</sup> of 1893 runs through the eastern portion of the Mohmand territory, and in paragraph 1 of the Agreement it is laid down that the ‘border shall follow the line shown in the map.’ Notwithstanding, when the demarcation of the boundary was undertaken early in 1895, the Amir’s representative persistently claimed<sup>2</sup> that it was the intention of the Agreement to leave the whole of the Mohmand tribe to Afghanistan. This resulted in the recall<sup>3</sup> of the British Commissioner to India in March 1895.

In 1896<sup>4</sup> when the question of the undemarcated boundary was again raised, the Amir argued that the map attached to the Durand Agreement contained many discrepancies. He was informed<sup>5</sup> by Lord Elgin, on 7th July 1896, that the frontier drawn on the map must be followed. The Amir then agreed<sup>6</sup> to partition in accordance with the Agreement, and Lord Elgin, with approval of the Secretary of State, replied<sup>7</sup> on the 12th November 1896 that, in order to bring about a prompt settlement of the boundary, His Excellency was willing to concede to His Highness certain villages of the Baezai and Khwaezai Mohmands in the valley called the Bohai Dag, while maintaining that the country of the Halimzai, Tarakzai, Dawezai, and Utmanzai sections, including also the Kandahari and Safi villages and all the villages of the Musa Khel Baezaiz of Mitaï, must necessarily remain under British control. The Amir however again put forward arguments<sup>8</sup> that the frontier in the Mohmand country should not follow the line shown on the map attached to the Agreement. Lord Elgin thereupon fixed<sup>9</sup> a date (31st January 1897) after which the concession that had been offered to the Amir would be withdrawn, if His Highness failed, within the time named, to accept the proposed basis for the settlement of the question. In reply the Amir<sup>10</sup> on 13th January 1897, ‘agreed to the proposals made in the letters of Your Excellency dated 7th July 1896 and 12th November 1896’, and reluctantly accepted the proposal to demarcate; but when the British and Afghan Commissioners met in March 1897, it was found that the work of demarcation was likely to be opposed by the tribes and the parties liable to attack, even if escorted by Afghan troops. The Government of India informed<sup>11</sup> the Amir accordingly, and suggested definition of the boundary according to tribal divisions, offering to supply a map which, though not accurate in detail, would generally indicate tribal divisions, and serve as a *pis aller* until demarcation was possible. It was added, however, that this would not be possible until the Amir had withdrawn his *khassadars* from Mitaï.

In his letter<sup>12</sup> of 12th April 1897 the Amir did not agree to the preparation of a map showing a tribal boundary, until it had actually been demarcated and local rights examined on the spot. He however ordered the withdrawal of his *khassadars* from Mitaï. In accordance with Lord Elgin’s note<sup>13</sup> of 7th May 1897 no reply was sent to the Amir who, in His Excellency’s opinion, had accepted the tribal division put forward by the Government of India.

But the matter was not allowed to drop here. On 6th September 1897 Lord Elgin wrote,<sup>14</sup> on the subject of sending troops to Jarobi to oust the Adda Mullah, that ‘Jarobi probably lies within the territory which, according to the agreement<sup>15</sup> proposed in my letter of 12th November 1896, would fall within the limits of Afghanistan..... I do not wish Your Highness to regard any such action on the part of my troops as indicating an intention to vary or depart from what we have agreed upon as the dividing line in Mohmand country.....on the other hand, if the Mullah should take flight across the mountains into the Kunar Valley, my troops have orders not to follow him beyond the

<sup>1</sup>S. F., Jany. 1894, 193-217.

<sup>2</sup>S. F., May 1895, 129-236, P. 235.

<sup>3</sup>*Ibid* P. 193.

<sup>4</sup> S. F., Aug. 1896, 30-130, P. 47.

<sup>5</sup>*Ibid* P. 101.

<sup>6</sup>S. F., Jany. 1897, 162-301, P. 179.

<sup>7</sup>*Ibid* P. 198.

<sup>8</sup>*Ibid*, P. 265.

<sup>9</sup>*Ibid* P. 273.

<sup>10</sup>S. F., May 1897, 113-201, P. 113.

<sup>11</sup>*Ibid* P. 186.

<sup>12</sup>S. F., Aug. 1897, 352-379, P. 352.

<sup>13</sup>*Ibid*, n. pp. 4 and 5.

<sup>14</sup>S. F., Novr. 1897, 1-233, P. 177.

<sup>15</sup>S. F., Jany. 1897, 162-301, P. 198.

water-shed, but I shall look to Your Highness.....' On the 12th September 1897 the Amir<sup>1</sup> replied :—' Your Excellency states that Jarobi is possibly within Afghan limits. As up to this time no decision has been come to with regard to those places, it will undoubtedly be as Your Excellency has written.' In his letter of 7th October 1897 Lord Elgin wrote<sup>2</sup> :—' My troops followed him to his home at Jarobi, but he had already fled *across the boundary into Your Highness' territory*, and, in accordance with my promise, my troops did not pursue him further.' It will be noted that Jarobi is definitely mentioned by the Viceroy as being in the area allotted to Afghanistan, and that the Amir in saying that 'no decision has been come to with regard to those places' merely meant that, pending actual delimitation, it was impossible to speak with confidence regarding an individual village. There is no disposition to reject the offer to Afghanistan of the Bohai Dag. This ended the first phase in the history of the undemarcated boundary.

In connection with certain events which had taken place at Shimpokh and Smatzai on the Kabul river, Lord Curzon, in his letter of 28th April 1903, suggested<sup>3</sup> the demarcation of the boundary between Sassobi Pass and the Kabul River. The Amir replied<sup>4</sup> on 8th May 1903 that he was willing to demarcate, but thought a complete delimitation of the frontier from Nawa Kotal to Sassobi Pass more to the point. In his letter of 26th May 1903 Lord Curzon pointed out<sup>5</sup> that it was too late in the season to undertake such a demarcation in the Mohmand country. At the same time His Excellency commented on a proposal<sup>6</sup> which the Afghans had considered and dropped, for the establishment of a post at Khapakh, on or near the watershed between Bohai Dag and Gandab valley. He added :—' Your Highness will see from Lord Elgin's letter,<sup>7</sup> dated 26th March 1897, and from your late father's reply<sup>8</sup> of 12th April 1897, that the whole question of what portion if any, of the Bohai Dag was to be allotted to Afghanistan in modification of the Agreement of 1893 was left over, pending suitable arrangements for the demarcation of the border, and these arrangements have not yet been concluded.' The Amir replied on 8th July<sup>9</sup> 1903. While agreeing to the demarcation of the boundary between Sassobi and Kabul river, he pressed for a complete delimitation from Nawa Kotal downwards. He denied any intention to establish a post at Khapakh, but said that, even if he had thought of establishing such a post, there would appear to be no objection as 'in the Bohai Dag valleys, Your Excellency knows well I have full rights.' Lord Curzon replied to this letter on 29th<sup>10</sup> August 1903. His Excellency said that he was prepared to accept the Amir's views as to the desirability of demarcating the whole line from Nawa Kotal, and promised to send a further communication. In the meantime he asked that arrangements be made for demarcating the boundary south of Kabul river to Sassobi. From the Amir's reply<sup>11</sup> of 25th October 1903 it was clear that he was not in favour of a piece-meal demarcation. After consulting the Chief Commissioner, North-West Frontier Province, the Amir was told<sup>12</sup> on 19th December 1903, that Major Roos Keppel had been appointed for the purpose of demarcating the boundary, and would meet the Afghan Commissioner on 1st February 1904 at Nawa Kotal. The Amir's reply<sup>13</sup> of 26th January 1904 came as a shock, for, while agreeing to the demarcation, he said that the line should be in accordance with the Durand Agreement of 1893. In his reply<sup>14</sup> of 13th February 1904 Lord Curzon explained how the question of demarcation came to be raised, and added :—' If Your Highness has now changed your mind and does not desire to proceed with the demarcation, or if you desire that we should adhere strictly to the line on the map' (presumably that attached to the Agreement of 1893), 'which has hitherto been found to be so unsuitable, I shall be glad to hear of this alteration in your views, and will take action accordingly.' The Amir's reply of 13th March<sup>15</sup> 1904 was argumentative, and not very clear. He insisted on demarcation, but made no suggestion that he regarded as modified the arrangement by which the Bohai Dag was allotted to Afghanistan. He was told on 1st April<sup>16</sup> 1904 that the question of demarcation must stand over until the autumn.

<sup>1</sup>S. F., Novr. 1897, 234-513, P. 293.

<sup>2</sup>S. F., Feby. 1898, 1-405, P. 125.

<sup>3</sup>S. F., Novr. 1903, 1-90, P. 8.

<sup>4</sup>Ibid P. 39.

<sup>5</sup>Ibid P. 48.

<sup>6</sup>F. A., June 1903, 84-87.

<sup>7</sup>S. F., May 1897, 113-201, P. 186.

<sup>8</sup>S. F., Aug. 1897, 352-379, P. 352.

<sup>9</sup>S. F., Nov. 1903, 1-90, P. 68.

<sup>10</sup>Ibid, P. 80.

<sup>11</sup>S. F., March 1904, 128-190, P. 131.

<sup>12</sup>Ibid P. 143.

<sup>13</sup>Ibid P. 172.

<sup>14</sup>Ibid P. 177.

<sup>15</sup>S. F., April 1904, 3-19, P. 5.

<sup>16</sup>Ibid, P. 11.

During the Kabul Mission of 1905 the question of demarcating this boundary was again raised by Mr. Dane, but was shelved by the Amir, who showed no desire to discuss the nature of the principles which were to regulate the demarcation. The Government of India therefore told<sup>1</sup> the Secretary of State 'We adhere to our decision not to make any move in the matter of delimitation till the Amir first addresses us.'

On 17th May<sup>2</sup> 1908 the Government of India informed the Amir of the despatch of a punitive expedition to the Mohmand country. In acknowledging<sup>3</sup> the receipt of this communication the Amir, while drawing attention to the correspondence of 1896, said '*But the Mohmand country is a country which may still be said to be in dispute, because no settlement and boundary demarcation have been carried out in those limits, wherefore no (boundary) marks are visible and distinct in those parts*' \* \* \* \* As the places mentioned in the letters of the above-mentioned dates *are in dispute*, it will be necessary for the British troops to take care that they, during their attacks, should respect and take into consideration the local and personal rights of the Mohmands pertaining to Afghanistan.' The Government of India in reply<sup>4</sup> thanked the Amir for the effective steps he had taken to prevent a recurrence of such attacks, and informed him that 'those portions of the Mohmand tribes subject to my Government which were guilty of unprovoked attacks.....have been duly punished, and have now tendered their submission. Here also, as in his letter of 12th September<sup>5</sup> 1897, the Amir's meaning merely seems to be that, pending actual delimitation, it was impossible to speak with confidence regarding individual villages.'<sup>6</sup>

These conclusions were accepted by Sir N. Bolton who gave reasons for deferring demarcation.<sup>7</sup> These were accepted by the Government of India.<sup>8</sup>

374. The 'assured clans'.—The 'assured clans' appear strictly speaking to be those to whom a letter was addressed by Major Leigh, Deputy Commissioner, Peshawar, on July 13, 1896, as follows :—

'As on several occasions lately you have asked me and my officers in connection with the demarcation proceedings between the Government of India and His Highness the Amir for advice, you are, by the orders of the Government of India, informed and assured hereby that in any case you will remain under British influence.'

These addressees were the Tarakzai, Halimzai, Isa Khel, Burhan Khel, Dawezai, and Utmanzai.<sup>9</sup> With these are commonly now included as an 'assured clan' the (Baezai) Mitai Musa Khel.<sup>10</sup>

375. The position in practice.—In September 1925 a Khwaezai Jirga (*i.e.*, Afghan Mohmand) visited Peshawar, and were received. Sir F. Humphrys drew attention unofficially to the objections to which such proceedings were open.<sup>11</sup>

At the close of 1926 a Mohmand jirga visited the Chief Commissioner to ascertain whether there was any truth in the rumour that the Durand line was to be demarcated through their limits ; and were reassured on the point.<sup>12</sup>

In 1927 the Bohai Dag, and the area west of the Khapakh Kandao were placed out of bounds for aeroplanes in tribal operations.<sup>13</sup>

The reported proceedings of Shah Mahmud, during his visit to the presumptive border in August 1927 appear to show that the Afghan Government still maintain claims in this area which could not be admitted.<sup>14</sup>

<sup>1</sup>S. F., July 1905, 345-356, P. 356.

<sup>2</sup>S. F., July 1908, 31-225, P. 53.

<sup>3</sup>Ibid. P. 163.

<sup>4</sup>Ibid. P. 224.

<sup>5</sup>S. F., Nov. 1897, 234-513, P. 293.

<sup>6</sup>Letter 1-F. (16-10-1924), from G. of I., to N.-W. F. (A. S. XVI, 240).

<sup>7</sup>Letter 1489 (29-5-1925), from N.-W. F., to G. of I. (A. S. XVIII, 87).

<sup>8</sup>Memo. 372 (9-6-1925), from G. of I., to N.-W. F. (*ibid* 97).

<sup>9</sup>Progs. S. F., Aug. 1896, 123.

<sup>10</sup>D.-O. 1011 (21-6-1924), from Seey, N.-W. F. (F. 372-F., n. p. 1).

<sup>11</sup>(F. 372-F., 1925, n. p. 7).

<sup>12</sup>Kabul despatch 119 (6-12-1926).

<sup>13</sup>Tel. 1140 (27-5-1927), from G. of I., to N.-W. F. (A. S. XXI, 239).

<sup>14</sup>Para. 317.

## CHAPTER XX.

### THE KHYBER SECTOR.

**376. Before 1919.**—Colonel Windham's *Précis*<sup>1</sup> states the situation in this sector at the time of the Durand Agreement, and shows that the Amir Abdur Rahman was stubborn in his opposition to British claims as to the siting of the boundary, which was consequently not demarcated. A Foreign Department note of January 1911<sup>2</sup> makes it clear that the pretensions of the Afghan Government to a boundary which would give them control of the Landi Khana water supply were studiously kept alive during the reign of Amir Habibullah.

An incident in 1909, when a party of Afghan labourers 'closed the border and constructed a road three hundred yards long', within the disputed area, led to correspondence with the Sarhang of Dakka, in the course of which he maintained the 'Afghan claim to the boundary being at the head of the Landi Khana stream.' A further act of aggression at this time led to the closing of the Khyber, and Lord Minto wrote on April 8, 1909, to the Amir that :—

"The present situation being one of serious tension, which may at any time give rise to a conflict, I have decided to close the Khyber to traffic until I hear that Your Majesty has taken effective measures to restrain your subordinates from such improper and hostile acts."<sup>3</sup>

The Amir replied that the necessary orders had been issued to the Sarhang. The Khyber was then reopened, and no further action taken regarding the road constructed by the Afghans.

On January 18, 1911, this road was carried 160 yards further towards Landi Kotal in one day by a party of Afghan labourers working 'with desperate energy'.<sup>4</sup>

The Political Agent, Khyber, addressed the Sarhang of Dakka, who denied that any new work had been done on the road, but added significantly—

'though I consider the country east of Torkham, as far as the head of the Landi Khana stream, to be within the limits of my Government.'<sup>5</sup>

**377. In the Third Afghan War.**—Thus at the opening of the period under review (February 1919), the position was that while Sir L. Cavagnari had proposed a line of 1,900 yards west of Landi Khana as the boundary,<sup>6</sup> the Afghans maintained their claim to a line as far eastwards as the Bagh springs and the head-waters of the Landi Khana stream, and, by periodical acts of overt aggression, had shown that they had no intention of abandoning it.

It was on this sector of the frontier, and under cover of their claim to a boundary some distance east of Torkham, that the Amir provoked hostilities in 1919.<sup>7</sup> At first it was thought that Zar Shah's forward movement might be intended merely to reopen the old question :—

"It is possible that Zar Shah is acting under orders, and incident may be first move in reviving old boundary dispute."<sup>8</sup>

"Afghanistan has never admitted our claims to Bagh and Kafirkot and ..... Afghan occupation of them therefore is not a final and definite challenge."<sup>9</sup>

On May 3, Bagh and Kafirkot were occupied by Afghan forces,<sup>10</sup> and on the next day the Chief Commissioner reported "Afghans at Bagh have plugged main to Tangi water supply, and there is serious shortage of water for Landi Kotal".<sup>11</sup>

Without the control of Bagh, which the Afghans claimed, the British position in the Khyber became impossible.

<sup>1</sup>Paras. 287-289.

<sup>2</sup>Progs. S. F., March 1911 (5-11), n. p. 1.

<sup>3</sup>Progs. S. F., May 1909 (99).

<sup>4</sup>Letter 126 (21-1-1911), from N.-W. F., to G. of I. (Progs. S. F., March 1911, 5).

<sup>5</sup>Letter from Sarhang Dakka (18-2-1911) (*ibid.*, 9).

<sup>6</sup>Windham's *précis*, para. 285.

<sup>7</sup>Para. 43.

<sup>8</sup>Tel. 1326 (3-5-1919), from N.-W. F., to G. of I. (Progs., July 1919, 3).

<sup>9</sup>Minute by For. Secy. to G. of I. (3-5-1919) (*ibid.* n. p. 3).

<sup>10</sup>Tel. (4-5-1919), from N.-W. F., to G. of I. (*ibid.* 10).

<sup>11</sup>Tel. 1247 (4-5-1919), from N.-W. F., to G. of I. (*ibid.*, 16).



Official Map showing the roads, rivers, streams, hills, etc., of the  
Khyber Province, now known as the North-West Frontier Province.  
Scale 1:100,000.

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Revised Edition  
1921

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Revised Edition  
1921

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Geological Survey of Canada  
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Dominion Land Survey  
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**378. In the Rawalpindi negotiations.**—Consequently, although it was decided that no annexation or general ‘rectification’ of the Frontier should be made as a result of the Third Afghan War,<sup>1</sup> it was natural that Article 5 of the Rawalpindi Treaty<sup>2</sup> should provide for an *ex parte* demarcation by a British Commission of the ‘undemarcated portion of the line west of the Khyber, where the recent Afghan aggression took place’. The question of this demarcation had been prominent in the discussions of the Rawalpindi Conference.

The draft Treaty was presented to the Afghan delegates on July 31; and Sir H. Grant gave a ‘solemn assurance’ that it is not intended to use *ex parte* demarcation as a pretext for territorial expansion.<sup>3</sup> At the Fourth Meeting S. Ali Ahmad Khan said “we do not agree to an *ex parte* demarcation”, and asked for a joint commission. He also suggested that it should be settled on the spot where the boundary should run, and that an Afghan delegate should demarcate it. These suggestions were rejected, but permission was given for an Afghan Commissioner to be present, although he was not to take any part in the proceedings.

On August 6, Mr. Maffey called on S. Ali Ahmad Khan, and explained to him with a map the ‘general lines on which it was proposed to demarcate’.<sup>4</sup>

At the Fifth Meeting S. Ali Ahmad Khan urged that it was unnecessary to demarcate the whole line from Sassobi Pass to Palosai, and said that demarcation of so long a line would give rise to an idea that Afghan territory was being surrendered. This objection however was not accepted, as it was explained that—

‘the whole of the frontier from the Kabul River to the Sassobi Pass was a vulnerable boundary, and they could not have a boundary which the Afghan troops could come round.’

The question was raised again at the Sixth Meeting, and S. Ali Ahmad Khan asked that Torkham should be left on the Afghan side. He was told that no definite answer could be given then, but that the demarcation would be just, equitable, and fair.

**379. The Maffey demarcation.**—The demarcation was carried out by Mr. Maffey between August 23 and September 2, 1919.<sup>5</sup>

This demarcation began from Kafirdara Sar, and not from Tsatsobi Kandao, since a visit to the latter place was considered too risky.<sup>6</sup>

On August 26, Mr. Maffey was joined by General Ghulam Nabi Khan, who was to watch the proceedings in the Afghan interest:—

‘He told me that he had not joined us at Darband because he had been told by the Amir to come to Landi Khana. The inference is obvious. He is trying in the usual Afghan style to reopen whole question of Torkham.’<sup>7</sup>

The Secretary of State at this stage called for a report as to the ‘lines on which you propose that demarcation should proceed’,<sup>8</sup> and Mr. Maffey noted that ‘the demarcation is a demarcation of the Durand Line, and is not a new boundary’.<sup>9</sup> The Government of India developed the point in a telegram to the Secretary of State, remarking that demarcation ‘flowed automatically from peace negotiations’, and was only ‘our own interpretation of existing facts’.<sup>10</sup>

A brief description of the whole line was given in telegram 1293 of September 3, 1919, from the Viceroy to the Secretary of State.<sup>11</sup>

**380. Afghan objections at the Mussoorie Conference.**—At the Eleventh Meeting of the Mussoorie Conference the Afghans returned to the charge, on the ground that the Maffey demarcation did not follow the Durand Line as it professed to do. ‘If the Rawalpindi Agreement were to be followed Torkham and Shamsa Sar should be on our side.’

<sup>1</sup>Para. 363.

<sup>2</sup>Para. 60.

<sup>3</sup>Progs. of the Third Meeting.

<sup>4</sup>Tel. 65 (6-8-1919), from Ch. Br. Rep., Rawalpindi, to G. of I. (Progs., Oct. 1920, 74).

<sup>5</sup>Para. 92.

<sup>6</sup>Tel. (24-8-1919), from C. P. O., N.-W. E., to G. of I. (Progs., Oct. 1919, 104).

<sup>7</sup>Tel. (26-8-1919), from C. P. O., N.-W. F., to G. of I. (*ibid* 113).

<sup>8</sup>Tel. (26-8-1919), from S. of S. to Viceroy (*ibid*, 116).

<sup>9</sup>Tel. 24-15 (25-8-1919), from C. P. O., N.-W. F., to G. of I. (q. v. for a description of the line); (*ibid* 122).

<sup>10</sup>Tel. 1263 (29-8-1919), from Viceroy, to S. of S. (*ibid* 127).

<sup>11</sup>(*ibid* 159).

## CHAPTER XXI.

### THE PEIWAR AND OTHER POSSIBLE BOUNDARY DISPUTES.

384. **The demarcation of 1894.**—The boundary was demarcated in 1894, and was described as follows :—

' The line of boundary starts from the Sikaram peak, and descends along the Azghanni watershed, and thence runs along the watershed to Bargawi. From Bargawi it runs along the watershed, of Gabzan Sar to the Peiwar Kotal, and these watersheds separate the waters (drainage) of Harriob and Kurram. From the Peiwar Kotal (the boundary line) runs along the same watershed to Mauri Kandao, and reaches Kimatai Kotal. '

The demarcated boundary thus clearly ran along the watershed.

385. **The encroachment of 1919 and the Afghan withdrawal.**—During the Afghan War of 1919—

' the Amir's troops occupied the Peiwar Kotal and constructed a line of emplacements on our side of the watershed, which forms the frontier as shown on our maps and demarcated by pillars. '

During the Mussoorie Conference an encroachment was reported to have been made at Tandisar by the Afghan Commander, who however said that ' their forward movement was not an encroachment, as the Tandisar spur was occupied during the fighting last year. '

The plea made by the Afghan delegates at the Mussoorie Conference was that—

' any aggression that might have taken place was in contravention of official orders from Kabul. '

' The Afghans attached great importance to the retention of the spur inside British territory for purposes of defence. .... Afghans tried to justify this encroachment by arguing that Torkham had been unjustly included within our Frontier after Rawalpindi Treaty had been signed. .... Tarzi then expressed the hope that we would afford them some excuse for evacuation of Tandisar, to enable them to save their face, and at first suggested that this might take the form of an informal assurance that Tandisar ridge would not be occupied by us. '

S. Mahmud Tarzi was informed that the Mussoorie negotiations could not continue until Tandisar had been evacuated, but it was added :—

' My Government shall arrange that, during our conversations at Mussoorie, our forces shall not occupy Tandisar. '

On May 22 the Political Agent, Kurram, reported :—

' Tandisar evacuated to-day, and woodwork of trenches burnt. I also received *via* Peiwar to-day letter, dated Matun Wednesday last, from Sarsaros stating that Amir's orders had been received for evacuation of Tandisar, which is described as a part in British territory, which during holy war had been occupied by Afghan irregulars, and that he, Sarsaros, had accordingly issued orders for withdrawal to behind Durand Line. '

386. **The question raised again, December 1920.**—In December 1920 the Political Agent reported :—

' The General Officer Commanding-in-Chief Northern Army was much struck with the extent of fortifications on Peiwar Kotal, and the difference between its condition now and that in which he last saw it. He considers that the dismantlement of these fortifications, and withdrawal of troops there from the line (say) of their old posts, should be taken up by the Mission. I agree, and consider that the present state of affairs, whereby they have gun emplacements along the ridge overlooking and menacing our Militia post at Teri and the Mangal and Peiwar villages, is wrong from a political, as well as military point of view. It must be remembered that we have as much right to be on the crest line as they have. '

<sup>1</sup>S. F. June 1895 Pro. 950.

<sup>2</sup>Memo. 326 (5-6-1925) from P. A. Kurram to N. W. F. (388-F. 1925, 1).

<sup>3</sup>Memo. (27-4-1920) by Br. Rep., Mussoorie (Progs., Oct. 1920, 453).

<sup>4</sup>Tel. 24 (1-5-1920) from Br. Rep., Mussoorie to G. of I. (*ibid.*, 457).

<sup>5</sup>Tel. 38 (13-5-1920), from Br. Rep., Mussoorie, to G. of I. (*ibid.*, 484).

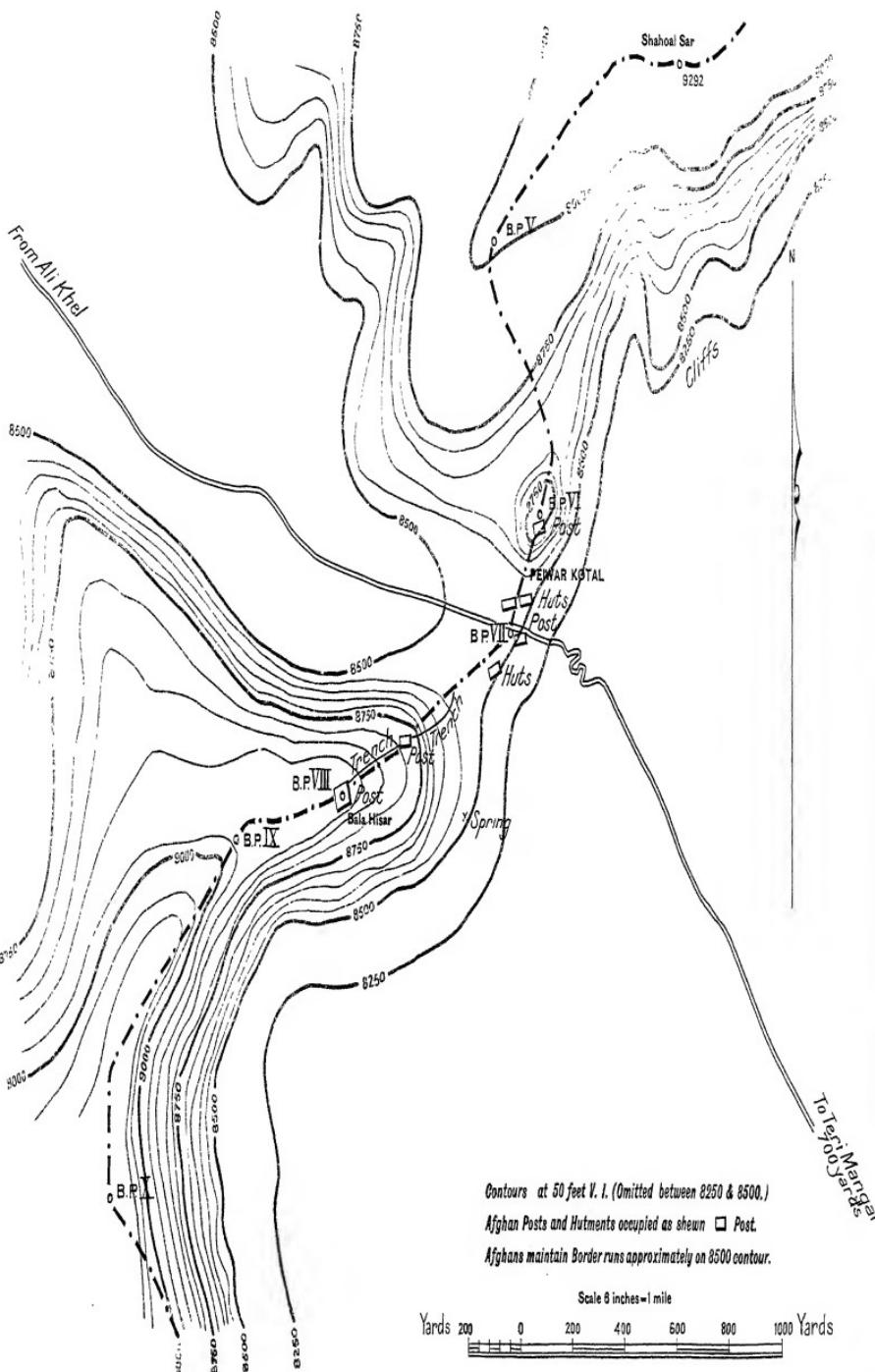
<sup>6</sup>Letter 22 (15-5-1920), from Br. Rep., Mussoorie, to S. Mahmud Tarzi (*ibid.*, 499).

<sup>7</sup>Tel. 230 (22-5-1920), from P. A. Kurram, to G. of I. (*ibid.*, 518).

<sup>8</sup>Memo. 100B. (19-12-1920), from P. A. Kurram, to N.-W. F. P. (A. S. IV, 729).









In answer to a request for more exact information, the Political Agent replied :—

' As the fortifications are on actual common boundary line, they are not indisputably inside Afghan territory, but no indisputable encroachments now exist. The fortifications were commenced in April 1919, and the strengthening and extending of them continued up to November last, when all troops and guns were withdrawn, except 100 regulars and the same number of irregular troops. The last extensions were made last November, and included heavy stone roofs to gun emplacements on Utsar. '

' Fortifications consist of roofed dugouts, and sangars walled with large trees, earth, and stones, with flagged but not cemented places for guns. Though fortifications are of a defensive character, Teri post and our nearer villages could be demolished if guns were brought up. '

During the Kabul negotiations the Afghan draft treaty contained a provision that British fortifications should not be erected in Tandisar.<sup>2</sup>

The Secretary of State was consequently informed, in reply to his enquiry on the point :—

' There are no fortified Afghan positions on British side of Peiwar frontier. On the frontier itself they have a fortified post, but it is strictly on Afghan side of the frontier. Dobbs has already been asked to consider whether he cannot induce Afghans to remove this local irritant on the ground that it is not customary with civilised nations to erect fortifications on and up to frontier itself. We do not attach military importance to the matter.'<sup>3</sup>

The Secretary of State replied :—

' As regards Peiwar Kotal, please consider effect upon tribal opinion if a post, established just before war for no other purpose than menace to us, were to remain in Afghan occupation notwithstanding conclusion of treaty.'<sup>4</sup>

**387. And again in June 1925.**—The recent history of the question begins with a memorandum from the Political Agent, Kurram, 326 dated June 5, 1925, in which he complained that the Afghans apparently considered that their more or less ruined fortifications on our side of the line belonged to them, and that British officers visiting the Kotal had no right to enter them.<sup>5</sup>

In that month two British officers of the Kurram Militia went to the Peiwar Kotal, and were refused permission by the Afghan official in charge of the post to proceed along the border. The officers did not press the point, but the incident was made the subject of an official complaint by the Afghan Foreign Minister to the British Minister at Kabul that Afghan territory had been entered at Shuhda Jaji.<sup>6</sup>

**388. The Joint Commission.**—The Minister then discussed the matter informally at Kabul, and suggested a joint commission, as a result of which he thought an agreement might be reached, by which no fortifications or posts should be erected by either side anywhere within a specified distance of the watershed. He considered that a new post should not be erected in the neighbourhood of the disputed border, pending the finding of such a commission.<sup>7</sup>

The Chief Commissioner, N. W. F. P., deprecated the appointment of any commission to determine the position of a boundary which had already been demarcated, and proposed that the Minister should press ' for the re-erection of the boundary pillars on their original sites, and the removal of encroachments.' He agreed that an agreement for a defortified area of a mile from the crest of the Peiwar Kotal would be acceptable.<sup>8</sup>

The Minister then explained that what he meant was that a mixed commission of local officers should re-erect the old boundary pillars which had disappeared, and should also re-erect intermediate pillars if necessary. If the Afghans proved unreasonable, they could be informed that we had decided to build a new post within our boundary as shown on the signed map of 1894.<sup>9</sup>

<sup>1</sup>Tel. 23 (11-1-1921), from N.-W. F., to G. of I. (A. S. IV, 748).

<sup>2</sup>Tel. 81 (5-4-1921), from Br. Rep., Kabul, to G. of I. (A. S. V, 136).

<sup>3</sup>Tel. 1778 (22-7-1922), from Viceroy, to S. of S. (*ibid.*, 562).

(NOTE.—The argument regarding the practice of civilised nations on this point appears to be double-edged, and might prove awkward if the Afghans demanded its application at Torkham, Kharlaichi, and Lakka Tiga.)

<sup>4</sup>Tel. 3793 (27-7-1921), from S. of S., to Viceroy (A. S. VI 8).

<sup>5</sup>F. 388-F. 1925, 1.

<sup>6</sup>Kabul memo. 312|1 (19-6-1925) (F. 388-F. 1925, 3).

<sup>7</sup>Kabul memo. 312|3 (28-11-1925) (*ibid.*, 8).

<sup>8</sup>Memo. 1098-P. (27-1-1926), from N.-W. F., to G. of I. (*ibid.*, 10).

<sup>9</sup>Kabul memo. 312|4 (17-2-1926) (*ibid.*, 12).

The Afghan Foreign Minister stated that his Government would agree to the appointment of a joint commission for the purpose.<sup>1</sup> The proposal was then referred to His Majesty's Government for their approval, which was accorded.<sup>2</sup>

It was explained that pillars VI, VII, VIII and IX, erected during the demarcation of 1894—

'no longer exist or have been built over by Afghan piquets. The actual encroachments do not average more than 30 feet, but the Afghans also claim as on their side of the frontier a subfeature, which corresponds roughly with contour line 8500 shown in the accompanying map.'<sup>3</sup>

The Afghan Government then showed a desire to enlarge the scope of the commission so as to include in its enquiries the reciprocal Jaji-Turi claims,<sup>4</sup> for the settlement of which a commission had been about to meet in November 1923.<sup>5</sup> It was decided by the Government of India that the scope of the commission should be restricted to the question of the boundary, and that Major Noel, Political Agent Kurram, should be the British Representative.<sup>6</sup> Sher Ahmad Khan was appointed on the Afghan side.<sup>7</sup>

Major Noel was given a letter from the Government of India as credential of his appointment, but the parties to the enquiry were explicitly stated to be 'His Majesty's Government and the Government of Afghanistan.'<sup>8</sup>

The Afghan Government enquired as to the authority by which Major Noel's credentials were signed, and were informed, with the concurrence of His Majesty's Government, that the latter had delegated authority to the Government of India for the purpose.<sup>9</sup>

The first meeting was held on December 3, 1926,<sup>10</sup> and difficulty soon arose owing to the inaccuracy of the Boundary Commission map.<sup>11</sup> The Afghans also proposed an extension of the enquiry to cover the boundary up to the vicinity of Thal.<sup>12</sup>

The Chief Commissioner stated that 'any admission on our part that a line of demarcation once made can be varied may cause endless trouble both here and elsewhere,' and also noted his disagreement with the proposal to rebuild Peiwar post on the summit, as likely to lead to conflict in time of tension.<sup>13</sup>

Captain Heaney of the Survey of India pointed out that the absolute position of the boundary as shown in the 1894 Boundary Commission map was 'several miles in error'.<sup>14</sup>

As regards this map His Majesty's Government held that—

'in view of small scale and absence of detail, map may be properly represented as merely illustrating text of agreement, which in case of dispute should be conclusive.'<sup>15</sup>

The Minister at Kabul then asked for authority to conclude 'a mutual self-denying ordinance to the effect that neither Government would erect a post or fortification within, say, one mile of pillar No. 7.'<sup>16</sup> To this the Chief Commissioner saw no objection.<sup>17</sup>

After further discussion a report was finally signed on February 3, 1927 by the British and Afghan Commissioners.<sup>18</sup>

<sup>1</sup>Kabul Memo. 312|5 (24-2-1926) (F. 388 F. 1925, 14).

<sup>2</sup>G. of I. letter 388-F. (21-4-1926), to U. S. of S. (*ibid.*, 18) and tel. 1629 (15-6-1926) from S. of S. to Viceroy (*ibid.*, 23).

<sup>3</sup>See map.

<sup>4</sup>Kabul tel. 102 (5-8-1926) (F. 388 F. 1925, 34).

<sup>5</sup>Paras 203, 459.

<sup>6</sup>Tel., 1428 (13-8-1926), from G. of I. to Min. Kabul (F. 388 F. 1925, 35).

<sup>7</sup>Kabul tel. 456 (16-10-1926) (*ibid.*, 38).

<sup>8</sup>Letter 388-F. (5-11-1926), from G. of I. to P. A. Kurram (*ibid.*, 43).

<sup>9</sup>Tel. 1927 (30-11-1926), from G. of I. to Min. Kabul (*ibid.*, 55).

<sup>10</sup>Tel. 1213|15 (4-12-1926), from P. A. Kurram, to N.-W. F. (*ibid.*, 57).

<sup>11</sup>Tel. 122 (7-12-1926), from P. A. Kurram, to N.-W. F., (*ibid.*, 60).

<sup>12</sup>Tel. 12220 (6|7-12-1926), from P. A. Kurram, to N.-W. F. (*ibid.*, 59).

<sup>13</sup>Tel. D. 61 (6-12-1926), from N.-W. F., to G. of I. (*ibid.*, 58).

<sup>14</sup>Memo. 1264 (17-12-1926), from P. A. Kurram, to G. of I. (*ibid.*, 77).

<sup>15</sup>F. O. tel. 1 (5-1-1927) (*ibid.*, 88).

<sup>16</sup>Kabul tel. 2 (6-1-1927) (*ibid.*, 90).

<sup>17</sup>Tel. A. 3 (10-1-1927), from N.-W. F., to G. of I. (*ibid.*, 92).

<sup>18</sup>For text see Memo. 123-C. (4-2-1927), from P. A. Kurram, to N.-W. F. (*ibid.*, 112).

**389. Outstanding points.**—This report did not completely cover the scope of the enquiry, and left the following points unsettled :—

- (a) the re-erection of permanent pillars on agreed sites at Ut Sar (No. 3) and Bala Hissar (No. 8),
- (b) the erection of a new pillar between pillars 7 and 8,
- (c) the demolition by Afghans of works now proved to be within British territory.

The Government of India considered that these points should be settled by Commissioners on the spot, as soon as the snow went,<sup>1</sup> and this was accepted by the Afghan Government.<sup>2</sup>

His Majesty's Government however considered that as demolition of the Afghan works at Ut Sar and Bala Hissar had not been admitted as a corollary of the terms of reference by the Afghan Government, further conversations at Kabul seemed necessary,<sup>3</sup> the point however was eventually left to the discretion of the British Representative Kabul as being one of tactics.<sup>4</sup>

On May 25 the Afghan Foreign Minister said that he had directed local Afghan officials to hold no official intercourse with Major Noel, to whom the Afghan Government had personal objections, and further proceedings were in consequence dropped.<sup>5</sup>

**390. Possible disputes in other Sectors.**—There have been indications that demarcation questions may arise in other sectors than those mentioned.

In September 1922 intelligence reports spoke of a visit by S. Nadir Khan to the Baroghil Pass, and an inspection made by him of the boundary in that area.

In 1924 Mr. Pears mentioned the dispute, at present quiescent, as to the boundary between Larkhwa and Khwaja Khidr (Pillars XX-XXXI) and discussed the means of settling it.<sup>6</sup> The course proposed by him however was not found to be effective for the purpose.<sup>7</sup>

In January 1926 S. Nadir Khan told Sir R. Hodgson that 'he would like to see the eastern boundary between India and Afghanistan formed by the Kunar river'.<sup>8</sup> It was suggested at the time that, if this conversation was to be regarded seriously at all, the offer of a large block of Afghan soil might have been intended to secure British support for some projected coup d'état.<sup>9</sup>

<sup>1</sup>Tel. 460 (7-3-1927) from G. of I. to S. of S. (F. 388-F., 1925, 128).

<sup>2</sup>Kabul tel. 36 (16-3-1927) (*ibid.*, 129).

<sup>3</sup>Tel. 876 (21-3-1927), from S. of S., to Viceroy (*ibid.*, 130).

<sup>4</sup>Tel. 1119 (15-4-1927), from S. of S., to Viceroy (*ibid.*, 137).

<sup>5</sup>Kabul tel. 77 (26-5-1927) (A. S. XXI, 244-A).

<sup>6</sup>Memo. 483 (18-3-1924), from Res. Waz. to Wazforce (A. S. XIII, 275).

<sup>7</sup>Kabul memo. 228 (28-4-1924) (A. S. XIV, 195).

<sup>8</sup>Paris despatch 90 (14-1-1926) (A. S. XIX, 226).

<sup>9</sup>D. O. letter (31-5-1926), from Sir D. Bray, to I. O. (*ibid.*, n. p. 6).

## CHAPTER XXII.

### THE NORTHERN FRONTIER OF AFGHANISTAN AND THE BOLSHEVIK MENACE.

391. **The Agreements constituting the Russo-Afghan frontier.**—The Agreements with Russia regulating the Northern frontier of Afghanistan were the following:—

1. The Clarendon-Gortchakoff Agreement (1872-3), which ‘was concluded without any reference to the Amir.’<sup>1</sup>
2. The Salisbury Staal protocol of September 10, 1885.<sup>2</sup>
3. The Khamiab protocol of September 1—13, 1886.<sup>3</sup>
4. The St. Petersburg protocol of July 10—22, 1887.<sup>4</sup>  
(The above are all bilateral in form, being signed by British and Russian representatives only.)
5. The Chahil Dukhteran protocol of August 22—September 3, 1893.<sup>5</sup>  
(At this meeting Mahmud Khan was present as representing the Amir, and sealed the protocol.)
6. The notes exchanged between the Earl of Kimberley and M. de Staal on March 11, 1895 in regard to the boundary in the Pamirs.<sup>6</sup>  
(This agreement was bilateral in form ; but ‘the Amir, being informed by the Government of India of the terms of the agreement, expressed his pleasure at the settlement.’<sup>7</sup>)

The Durand Agreement of 1893, between the Government of India and the Amir, quoted the Clarendon-Gortchakoff agreement of 1873, and gave effect to it.<sup>8</sup>

392. **The Genoa Conference, 1922.**—The question of the legal status of this boundary, and of the attitude to be adopted by His Majesty’s Government in regard to the relevant agreements, in view of the international developments which had occurred since their conclusion, was raised in connection with the Genoa Conference of 1922 :—

‘His Majesty’s Government propose that at Genoa we should agree with Russia to abrogate all pre-existing bilateral treaties, but that they and we alike should retain the liberty to negotiate revival of such treaties, as both parties may agree to be expedient.’

After mentioning the Treaties noted above as furnishing ‘the sole technical validity of the present frontier between Russia and Afghanistan’, the telegram continued :—

‘In the present circumstances however we have practically no *locus standi* in this matter. Do you wish to revive any clauses in the Anglo-Russian Convention of 1907 ? It seems, subject to any observations which you may wish to make, preferable that we should continue to regard it as wholly abrogated. Subject to details to be negotiated later, it is proposed that multilateral treaties should be regarded as still in force. It is also proposed to ‘take note’, with reservations as required, of treaties made with other States by Soviet Government. India is mostly concerned with Persian and Afghan treaties..... If reference is unavoidable as regards latter, the best course seems to be to say simply that, as Article V<sup>o</sup> conflicts with Anglo-Afghan arrangements, His Majesty’s Government cannot take note of it.’<sup>10</sup>

The Government of India replied :—

‘The position is extremely awkward as regards treaties which affect Russo-Afghan boundary. At least one of these (Aitchison No. CLIX) apparently might be regarded as

<sup>1</sup>Aitchison, Vol. XI, p. 326.

<sup>2</sup>Ibid., pp. 347—349 (CLVI).

<sup>3</sup>Ibid., pp. 349—351 (CLVII).

<sup>4</sup>Ibid., pp. 351—358 (CLVIII).

<sup>5</sup>Ibid., pp. 358—360 (CLIX).

<sup>6</sup>Ibid., pp. 381—384 (CLXVII and CLXVIII).

<sup>7</sup>Ibid., p. 332.

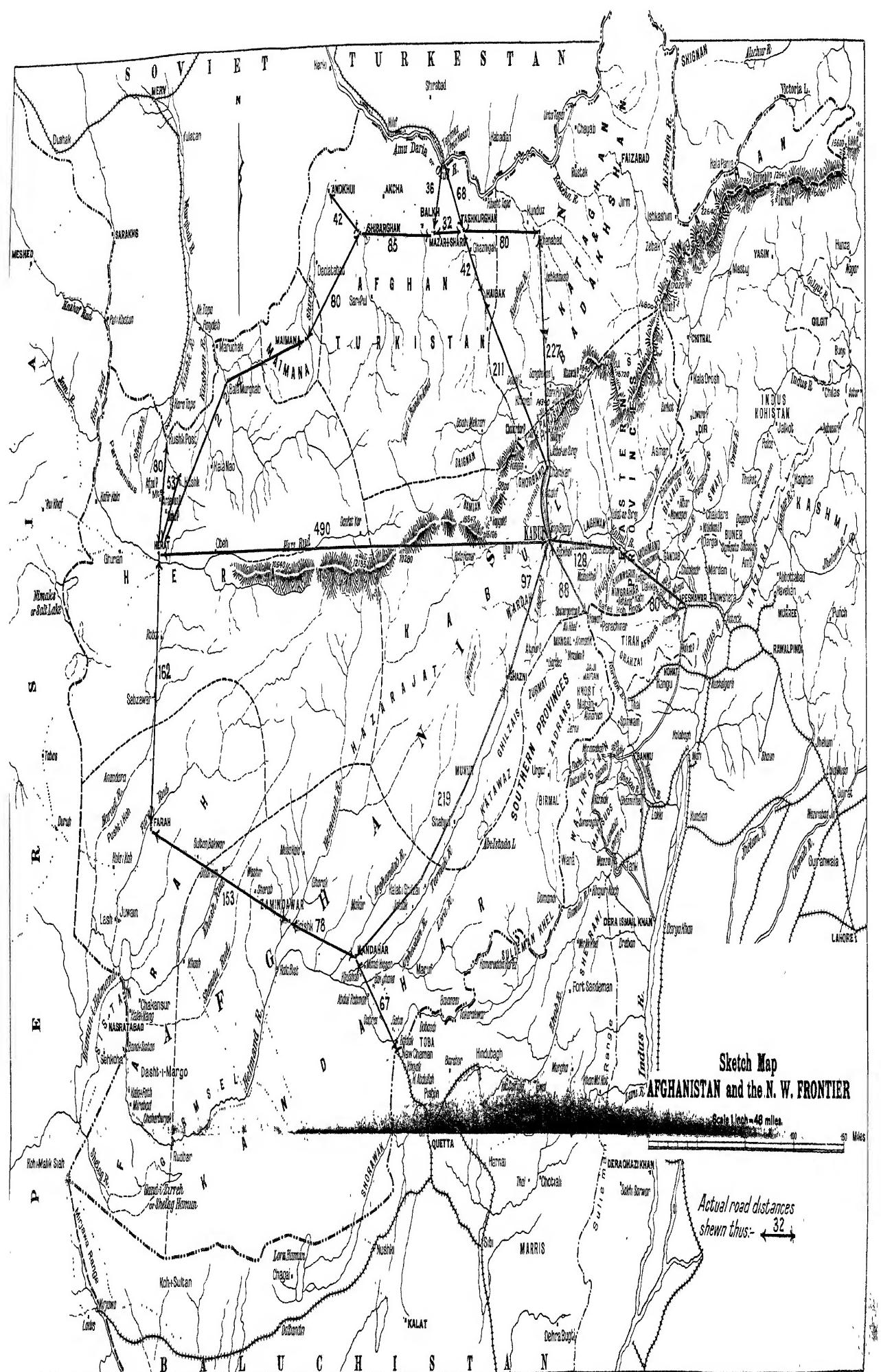
<sup>8</sup>Ibid., pp. 360-1 (CLX).

<sup>9</sup>See para. 718. (Appx. II).

<sup>10</sup>Tel. 859 (25-2-1922), from S. of S. to Viceroy (F. 154, 3).









multilateral. Since we negotiated these as guardians on Afghanistan's behalf, it appears very doubtful whether, without the express consent of Afghanistan, we should be justified in agreeing to their abrogation. It is true that Article IX of Russo-Afghan Treaty of 1921 makes provision for the realignment of the boundary, or at any rate a portion of it (for no names are mentioned), on a basis of self-determination. Negotiations are however not proceeding very smoothly, and perhaps may prove abortive. Afghanistan would, if these treaties were abrogated, be left with nothing but a *de facto* boundary to rely on. Before His Majesty's Government could agree to the abrogation of these treaties, it seems to us that, when His Majesty's Government think the time has arrived, the Minister should explain the position frankly and fully to the Afghan Government. He should ask them whether the course proposed by His Majesty's Government is free from objections from their point of view. Apart from this, your proposals have our concurrence. There would appear to be no profit in reviving any of the treaties.<sup>1</sup>

On this the Foreign Office remarked :—

'With regard to the boundaries of Afghanistan, and other boundaries which may be affected by these treaties, the Secretary of State is advised that boundaries which have already been fixed will not be endangered, if it is decided to regard these treaties as no longer in force, and that their existence is quite independent of the denunciation of the treaties by which they were originally defined..... It was decided that, as regards economic and commercial treaties, bilateral treaties should *not* be specially denounced, but should be regarded as not having lost their force—their continuance, however, to be dealt with independently by the Power concerned and Russia. Political treaties were not discussed at this meeting, but it is improbable that it will be found possible to accord different treatment to political treaties from that accorded to economic treaties .. . . . I am to suggest that.....it is undesirable to instruct Colonel Humphrys to approach the Afghan Government on this question at the present time '<sup>2</sup>

The Genoa Conference proved abortive and the discussion was consequently dropped.

**393. The question discussed by Sir F. Humphrys.**—The question, as being likely to be raised by the Afghans in negotiations for the next Anglo-Afghan Treaty, was discussed by Sir F. Humphrys in his despatch 56 of December 4, 1923, in which it was recommended that the contingent assurance given by Sir H. Dobbs, of British support in the event of a Russian attack, should be finally withdrawn, and that in answer to possible enquiries from the Afghans as to the attitude of His Majesty's Government in such an event, it should be stated:—

'That His Majesty's Government in deciding the question would be guided entirely by their own interests, and that what those interests would be would depend largely on the extent to which the conduct of Afghan policy had in the meantime contributed to the tranquillity of India, and its immunity from foreign intrigues.'<sup>3</sup>

**394. The Anglo-Russian negotiations of 1924.**—It was revived in connection with the negotiations for an agreement between the British and Russian Governments in 1924, and it was remarked that:—

'In view of the conflict between Article V of the Russo-Afghan Treaty and letter No III appended to Anglo-Afghan treaty, question of taking mutual note of treaties may give rise to difficulties.'<sup>4</sup>

The War Office stated their views as to the desirability of maintaining the Pamirs Agreement of March 11, 1895<sup>5</sup>, and assumed that the 1907 Convention

'must be deemed to have lapsed, as it is incompatible with the independence of Afghanistan recognised in the Anglo-Afghan Treaty of 1921.'<sup>6</sup>

The Government of India called attention to the

'risk inseparable from any overtures on our part, which could be represented or colourably misrepresented to Afghans by Russians as an attempt to decide over their heads the future of Afghanistan, and revive the methods of 1907 '<sup>7</sup>

<sup>1</sup>Tel 32 (13-3-1922) from Viceroy to S. of S. (F. 154, 4).

<sup>2</sup>Letter 2850/2458/38 (7-4-1922), from F. O., to I. O. (*ibid*, 9).

<sup>3</sup>Para. 6 (A S XI, 40)

<sup>4</sup>Tel 838 (13-3-1924), from S. of S. to Viceroy (F. 154, 31).

<sup>5</sup>Para. 391

<sup>6</sup>Letter (27-3-1924), from W. O., to F. O. (F. 154, 37).

<sup>7</sup>Tel. 814 (23-4-1924), from Viceroy, to S of S (*ibid*, 39) (For Afghan sensitiveness on this point see paras. 201, 284).

In June 1924 the British Representative at Kabul received the following instructions :—

' Report of Treaty Committee, by which Afghan boundary treaties are included amongst treaties which may be regarded as no longer in force, has now been accepted by Anglo-Soviet Conference. You should take suitable opportunity of informing Afghan Government that examination of Anglo-Russian treaties will probably result in agreement to this effect, and you should explain to them that these treaties have not of course been singled out for special treatment, but are included with others relating to various subjects. Please also explain to Afghan Government His Majesty's Government's view as to boundary treaties as stated in Foreign Office letter of 7th April paragraph 2.'<sup>1</sup>

In reply to a request by Mr. Maconachie for further explanation,<sup>2</sup> and a suggestion that, if the Afghan Government pressed for detailed information on the point, they should be informed as suggested by Sir F. Humphrys in his despatch 56 of December 4, 1923<sup>3</sup>, it was stated :—

' Paragraph No. 2 of Foreign Office letter dated the 7th April 1922 gives a purely legal ruling. As a matter of fact the effect of proposed arrangements will not be the explicit abrogation of Treaties, but an implicit placing on record of patent fact that His Majesty's Government and the Soviet Government in present circumstances neither have now, nor have had since 1921 at any rate, mutual obligations in regard to northern frontier of Afghanistan, which now concerns Soviet Union and Afghanistan alone. The boundary which has been delimited under those Treaties nevertheless remains the *de jure* frontier of Afghanistan, in so far as it has not been modified by mutual consent by Soviet Union and Afghanistan, and is recognised as such by His Majesty's Government. The question will not arise of our taking note of Russo-Afghan Treaty. . . . . It does not seem possible to me that Afghans could claim that any kind of guarantee of frontier by His Majesty's Government is implied by the above explanation, but, should the former raise this question, or other connected questions dealt with in paragraph No. 6 of Humphrys' despatch of 4th December 1923, you should reply as proposed in that paragraph, subject to concurrence of Government of India, and make it very clear to them that Russo-Afghan frontier is a question for Afghans and Russians alone.'<sup>4</sup>

A suggestion made by the Government of India that the Afghan Government should be given a contingent assurance of British diplomatic support, in the event of unprovoked aggression by a Foreign Power,<sup>5</sup> did not commend itself to His Majesty's Government,<sup>6</sup>

On July 17, 1924 Mr. Maconachie informed the Afghan Foreign Minister—

' that an agreement would probably be reached at the Anglo-Soviet Conference, according to which certain Treaties defining the Northern boundary of Afghanistan would be regarded as being no longer in force. S Sher Ahmad said that the subject was an important one, which he would like to discuss with me on a later occasion, and passed on to the matter then in hand '<sup>7</sup>

**395. The Anglo-Russian Treaty of August 8, 1924.**—The following Treaties were specified as having lost their force :—

The protocols of September 10, 1885, July 10|22, 1887, the Notes of May 31|June 12 and June 8|20, 1888, the protocol of August 22|September 3, 1893,<sup>8</sup> the agreement of March 11, 1895, and the Convention of 1907.<sup>9</sup>

This Treaty was not ratified, and so remained inoperative.<sup>10</sup>

**396. The attitude of His Majesty's Government towards the integrity of the Northern Afghan frontier.**—This question reappeared in 1925 in connection with the measures to be taken to counter Soviet designs in Afghanistan, and the Government of India, in agreement with Sir F. Humphrys, recommended that—

' When favourable opportunity offers, Soviet Government should be given clearly to understand that grave offence would be caused to His Majesty's Government by any

<sup>1</sup>Para. 392.

<sup>2</sup>Tel 25 (12-6-1924), from S. of S. F. A., to C. D.'A., Kabul (*ibid.*, 54).

<sup>3</sup>Kabul tel 124 (17-6-1924) (*ibid.*, 57).

<sup>4</sup>Para. 393.

<sup>5</sup>Tel. 30 (8-7-1924), from S. of S. F. A., to C. D'A. Kabul (F 154, 62),

<sup>6</sup>Tel. 1089 (26-6-1924), from Viceroy, to S. of S. (*ibid.*, 60).

<sup>7</sup>Tel. 30 (8-7-1924), from S. of S. F. A., to C. D'A., Kabul (*ibid.*, 62).

<sup>8</sup>Kabul despatch 124 (2-10-1924) (A. S. XVI, 207).

<sup>9</sup>This protocol it may be noted was that sealed by the Afghan representative, and was therefore 'multilateral in form' (para. 391).

<sup>10</sup>F. 154, 79.

<sup>11</sup>Para. 284.

attempt at absorption of Herat or other Northern Provinces of Afghanistan into the Soviet system<sup>1</sup>.

The suggestion did not commend itself to His Majesty's Government<sup>2</sup>.

In connection with the Urtatagai incident of December 1925, Sir F. Humphrys assured S. Mahmud Tarzi :—

' Of the sympathy of my Government in any question affecting the integrity of Afghanistan, and hinted that, if it could be shown that Russia was in unwarrantable occupation of territory which belonged indisputably to Afghanistan, British diplomatic support might be available '<sup>3</sup>

The Government of India suggested that, if a good case were made out by the Afghan Government, and a formal request for diplomatic support preferred, the possibility of diplomatic representations to the Soviet Government might be considered<sup>4</sup>.

The Afghan Minister in London enquired from the Foreign Office to ascertain the attitude of His Majesty's Government in the event of war between Russia and Afghanistan<sup>5</sup>, but a reply was deferred until after the crisis was past, and was then non-committal<sup>6</sup>.

' The whole question of our present day Afghan relations ' was raised by the following passage in a speech made by Lord Birkenhead, in the House of Lords in 1926 :—

' The concern of Great Britain and India in Afghanistan is not less than it was in 1885. It is not less than it was in 1907, when it brought us to an agreement with Russia, or in 1921 when we made a treaty of good neighbourliness with Afghanistan. If such interests as we have in Afghanistan were ever seriously threatened, we should not, I believe, find ourselves without the means of safeguarding them.'

This elicited from the Government of India a statement of their views as to the objectives of Russian policy, and the extent to which we are concerned to maintain the integrity of Afghanistan. In that despatch it was argued that the ' change in conditions since 1919 has been fundamental ', and that the inviolability of Afghanistan, which was essential to us up to 1919, is highly valuable, but not essential, to-day.

The question as to the necessity of maintaining the territorial integrity of Afghanistan is still under discussion, and on the answer to it obviously depends the action to be taken by His Majesty's Government in the event of Russian aggression on the Northern frontier of Afghanistan.

It would be beyond the scope of this summary to attempt more than a statement of the more important factors in the problem :—

(1) Previous decisions in the matter, although taking into account our material interests appear to have been all affected, to a greater or less extent, by the fact that Afghanistan was a protected State, whose inviolability we were ' bound to uphold '.

It is only since 1919 that the question has become for us one of self interest alone, and been discussed as such :—

' We are thus confronted with an entirely different set of conditions, to which it would be dangerous uncritically to apply old formulae<sup>8</sup>. '

(2) In present conditions, the resources of diplomacy in London and Moscow are no longer available as a means of reaching an understanding with Russia, or of impressing our wishes upon her.

(3) Even when we were under obligations to protect Afghanistan, so great an authority as Lord Curzon regarded the proposition that any violation of the Northern frontier of Afghanistan would constitute a *casus belli*, as a ' *reductio ad absurdum* '.

(4) The answer to the question as to what military action could be taken by us to maintain the integrity of Afghanistan, must be largely affected by a non-military factor—the attitude towards us of the Afghan Government and people at the time.

<sup>1</sup>Tel 1323 (22-10-1925), from Viceroy to S of S. (A. S. XIX, 67).

<sup>2</sup>Tel 3188 (2-12-1925), from S. of S., to Viceroy (*ibid* 114).

<sup>3</sup>Kabul tel. 169 (31-12-1925), (*ibid* 157).

<sup>4</sup>Tel. 68 (11-1-1926), from Viceroy to S. of S. (*ibid* 160).

<sup>5</sup>F O tel. 1 (29-1-1926), (*ibid* 188).

<sup>6</sup>Para. 353.

<sup>7&8</sup>G of I despatch 9 (7-10-1926).

<sup>9</sup>Para. 397.

(5) If no declaration is made by His Majesty's Government of their attitude in the matter, no deterrent effect will be produced on the Russian Government; while on the other hand a declaration in too extensive terms might give Afghanistan 'encouragement to think that she could rely on us if she provoked Russia into aggression'.

**397. The objectives of Russian policy in Afghanistan under the Tsars.**—In his book 'Russia in Central Asia' (1889), Lord Curzon discussed the objectives of Russian policy in Afghanistan under the Tsarist régime.

He argued that Russian policy had not been

'animated by an unswerving and Machiavellian purpose, the object of which is the overthrow of British rule in India, and to which every forward movement is strictly subordinated;'

but had been

'a hand to mouth policy, a policy of waiting upon events, of profiting by the blunders of others, and as often of committing the like herself.'

Admitting all this, Lord Curzon saw in Russia's presence in Central Asia a serious menace to India, but not the menace of military conquest.

The real menace was he considered an advance upon India with a view to exerting pressure upon Great Britain in Europe, and Skobelev's famous phrase about the 'tanning of the Asiatic hide' is quoted in support of this view.

Skobelev's plan 'involved the simultaneous employment of armed forces and private intrigue.' An alliance was to be formed with the Amir, and if the latter proved refractory, civil war was to be fomented in Afghanistan:—

'When a host of spies and emissaries, circulating throughout India, were to arouse the disaffected elements in the rear of any British force advancing from the Indus.'

It is pointed out that this policy rested upon a 'cardinal misconception' that 'British rule in India is one of odious and incredible tyranny.' The obligations of His Majesty's Government to safeguard the integrity of Afghanistan are discussed, and under the caption '*reductio ad absurdum*' it is said:—

'The argument that any infraction of the newly established Afghan frontier must, as a matter of honour, be followed by a British declaration of war, subject to no qualifications, has indeed only to be stated in its most likely mode of application in order to be condemned. For thus translated what does it imply? It means that any temporary or incidental or marauding or even unauthorised violation of the line between the boundary pillars . . . . is to plunge a world in arms . . . . To contend that such an incident must of necessity constitute a *casus belli* between the two Powers is gratuitously to place in the hands of Russia an advantage of overwhelming importance, nothing less in fact than the liberty to force England into a war whenever she pleases, and at the moment most convenient for herself, or least agreeable to us.'

Lord Curzon goes on to discuss the results of Russian advance up to the Hindu Kush:—

'Such a consummation, so far from being retarded by physical obstacles, is facilitated by geographical and even ethnographical considerations . . . . It would involve the absolute extinction of a strong and united Afghanistan, for it would leave only a phantom Amir at Kabul, if it left that. It would hand over to Russia, a possible enemy, the two granaries of the Oxus basin. It would necessitate a considerable addition to the Indian army, and a burdensome charge upon Indian finance . . . . We may be driven to partition as a *pis aller*. Let us at least not embrace it as a programme' . . . .

But it is pointed out that:—

'Kabul is at once the capital of the sovereign, and the headquarters and rallying place of Afghan fanaticism. Without Kabul the Russians might boast of no mean conquest in the acquisition of Herat and Afghan Turkestan. But the conquest would never be of the Afghan ruler, or of the Afghan people.'

**398. The objectives under the Soviet régime.**—It is obvious, from a comparison of Lord Curzon's conclusions with those of present day authorities that there are many constant factors in the situation, and, in order to arrive at some conclusion as to the trend of present Russian policy, it is worthwhile to consider which features in the situation have been changed by the Russian revolution and its attendant developments.

(1) Lord Curzon finds the reason for the instability of Russian policy in the autocratic régime of the Tsars, and, if this diagnosis is correct, one would expect to find a greater consistency of purpose and action in the present Soviet Government.

(2) It appears from the pronouncements of the Soviet leaders, that, as might be expected from the general tenour of the communistic programme, Skobelev's ' limited objective ', as it may be called, of a Russian advance in Asia as an instrument of diplomatic pressure in Europe, has been replaced by the ' unlimited objective ' of the destruction of the British Empire, by means of a successful revolution in India.

Thus, in Sir R. Horne's Note of March 16, 1921, to Krassin it was stated:—

' The Soviet Government have made no secrecy in their published statements and in their official press, that main object of their Eastern policy is overthrow of British rule in India.'<sup>1</sup>

399. **The alternative plans.**—The alternative means for the achievement of this objective by the Soviet Government appear to be:—

(1) A military invasion of India.

There is apparently no evidence that this project, which is in itself improbable, is seriously contemplated.

(2) The absorption by military action or political intrigue, or a combination of both, of Afghan territory north of the Hindu Kush, as a preliminary step to further advance.

The formation of the nationalist Republics of Central Asia in 1924 is quoted in favour of this view, and Tchitcherin on September 16, 1924 stated:—

' Both in Persia and Afghanistan there is a large percentage of Uzbeg and Turkoman population, which will naturally, after the formation of the new Republic, not only incline towards us, but also bring considerable influence to bear towards a *rapprochement* between Persia and Afghanistan on the one hand, and the S. S. S. R. on the other ',

while the Third International has stated more definitely that

' it was imperative to organise agitation propaganda work among Turkoman and Uzbeg tribes of Persia and Afghanistan, with a view to uniting them with the Turkoman and Uzbeg Republics.'

(The difference between these two pronouncements, the first of which seems to point to the creation of a party friendly to Russian interests within the State concerned, in order to influence its leaders in the same direction, and the second to aim at definite disruption of such State, may indicate, as has been suggested by the Government of India<sup>2</sup>, a divergence of views between the Moscow Government and the Third International.)

Sir F. Humphrys inclined towards the opinion that it is this alternative, which has been adopted by the Soviet Government:—

' For the realisation of their aim to overthrow British dominion in India, two methods of approach through Afghanistan are likely to be employed.....(b) to advance up to 'Hindu Kush' line by fomenting rebellion, or by aggression in the Herat Province and in Afghan Turkestan, and setting up Soviet Republics in these areas<sup>3</sup>.

' My own view, which is also expressed by my French, Italian, German, Persian, and Turkish colleagues, is that Russia is employing her blandishments on the Amir for the sole purpose of the dismemberment of Afghanistan, and her nearer approach towards India.<sup>4</sup>'

[The Persian Minister at Kabul (Itela-ul-Mulk) is more than once stated to hold this view very strongly<sup>5</sup>, but Sir F. Humphrys had himself reported that the ' Persian Minister's sources of information of events in Turkestan are probably very limited<sup>6</sup>'; and that he took fright ' at every minor crisis<sup>7</sup>'; while it may be noted that, in regard to the Urtatagai incident, the opinions of the French, German, and Turkish Ministers were all falsified by the event<sup>8</sup>.]

<sup>1</sup>Tel. 1591 (17-3-1921), from S. of S., to Viceroy (A. S. V., 88).

<sup>2</sup>C. of I. despatch 9 (7-10-1926).

<sup>3</sup>Kabul tel 22 (4-2-1925), (F. 264-X, 4).

<sup>4</sup>Kabul tel 38 (6-6-1925), (A. S. XVIII, 102).

<sup>5</sup>e. n., Kabul tel 70 (31-5-1925) (*ibid*, 94).

<sup>6</sup>Kabul tel 28 (29-5-1922) (F. 328-M, 1923, 44).

<sup>7</sup>Kabul despatch 104 (14-12-1925) (A. S. XIX, 145).

<sup>8</sup>Kabul despatch 3 (11-1-1926), (*ibid*, 172).

Sir F. Humphrys at one time regarded the Russian action at Urtatagai as 'a step and a very important step towards the political absorption of Northern Afghanistan '<sup>1</sup>, and M. Barthoux went so far as to state that the Russian advance up to the Hindu Kush in the near future was a 'mathematical certainty '<sup>2</sup>

- (3) Support and conciliation of the Central Government, with a view to its eventual employment, as a tool of Russia, in the advance towards India.

The Government of India hold that this is the plan at present favoured by the Soviet Government, and, after stating the evidence in support of this view, describe the line of thought actuating the Russian leaders as follows :—

'What suits our book is not general chaos, in which our efforts against and towards India would be dissipated, but an organised Afghanistan, not necessarily an Amirate for long, which will stir up the frontier tribes at our bidding, and act as a forwarding agency for our propaganda and activities in India with all the authority of an independent Muslim State '<sup>3</sup>'

The Foreign Office reviewing the situation in June 1925, came to no definite conclusion on the point :—

'There is of course no doubt about the ultimate end, which is that of destroying British rule in India. Until recently it was generally held that the Soviet policy was to stir up disaffection among the various tribes in Afghanistan in the hopes of using the subsequent disorder to its own advantage. Recently however information was received from a native of Turkmenistan, to the effect that the Soviet policy is, at the moment, to support the Central Afghan Government. Although hitherto unsupported by any other evidence, this point of view has now received some confirmation in the latest telegram from the Government of India, who state that the available evidence points to this conclusion '<sup>4</sup>'

Since this note was written there have been further indications pointing to the adoption of the third alternative by the Soviet Government.

The question is discussed at length in the Government of India's despatch No. 9 of October 7, 1926 :—

'A review of Russian activities during the last two years or so..... seems to us to show that the Russian Foreign Office is at present playing for higher stakes. Working on the basis of the Russo-Afghan Treaty, with its promises of money and munitions and aeroplanes and the rest, Russia appears to be seeking to secure the dominant rôle in Kabul; to be seeking to bring the King and his Government more and more under her influence, by making them more and more dependent on her for material assistance and technical personnel, to be seeking in short to force Afghanistan, which once whirled in England's political orbit, to whirl in the orbit of Russia.'

\* The correctness of this view was questioned by Sir F. Humphrys, who in a despatch of February 21, 1927, stated 'the main purpose of the Soviet in Afghanistan to-day' to be 'to secure a vantage ground from which to bring direct pressure on Great Britain and ultimately to destroy the British Dominion in India', in other words, a combination of the 'limited' and 'unlimited' objectives.

The despatch goes on to maintain Sir F. Humphrys' view, already noticed, that the easier and more obvious line for Russia to follow, would be

'after a period of revolutionary Bolshevik propaganda by the absorption of the Northern Provinces of Afghanistan and by advancing the Soviet political frontiers to what is loosely termed the 'Hindu Kush line'. .... It might be argued by Soviet politicians that once astride the Hindu Kush line, Russia would be enabled, without even moving a man forward, to compel the Government of India to double its military strength; and revolution in India, which propaganda from Tashkent has so signally failed to inspire, might be brought about by the discontent caused by increased military burdens.'

Sir F. Humphrys argues that if the Northern Provinces were absorbed 'what remained of Afghanistan would fail to function as an efficient buffer', and goes on to show that the retention of the Oxus boundary is vital to the safety of India.<sup>5</sup>

Opinions are and will probably remain divided, and it may be noticed that His Majesty's Government are careful to state that their conclusions only apply to Soviet policy 'at the moment'.

<sup>1</sup>Kabul despatch 3 (11-1-1926) (A. S. XIX, 172).

<sup>2</sup>Kabul despatch 6 (21-1-1927) (A. S. XXI, 45).

<sup>3</sup>Tel. 625 (30-5-1925) (A. S. XVIII, 86).

<sup>4</sup>(*Ibid.*, 211).

<sup>5</sup>Kabul despatch 23 (21-2-1927).

400. Some considerations.—In these circumstances it would be rash to attempt more than to suggest a few considerations bearing on the question.

(1) Evidence as to Russian activities in Northern Afghanistan is meagre and vague, but it may be noted that the reports of Majors Harvey Kelly and Dodd<sup>1</sup> tell in favour of the third, rather than the second, alternative of those mentioned above. Alarmist reports from Indian paid agents must be accepted with reserve, since there must be few of them with the moral sincerity and courage to report, after a journey, say, to Mazar-i-Sharif, that they saw no special indications of Russian revolutionary activity.

(2) The weight of opinion seems to be in favour of the view that the third alternative promises a more substantial reward than the second, which although offering, as Lord Curzon pointed out, a spectacular success, and threatening the extinction of a strong and united Afghanistan, would not necessarily mean the subjection of the whole country. An advance to the Hindu Kush might in fact, by intensifying and consolidating opposition to further Russian progress throughout the rest of Afghanistan and the tribal belt of the Indo-Afghan frontier<sup>2</sup>, put India farther away than ever<sup>3</sup>.

'Loss of territory beyond certain point would be incompatible with Afghanistan's integrity. Not however any or every loss of territory. Indeed if Afghanistan were to drift seriously over to Russia, it might well conduce to Afghanistan's re-integration and consolidation, and so to the security of India, if Russia seized some small portion of Afghanistan, and opened Afghanistan's eyes to the dangers that face her from Russia. The loss of Herat and of her territory north of the Hindu Kush would deal Afghanistan a grievous blow, and set up a serious situation for India. But it would not in itself mean the loss of her efficiency as a buffer... .... Shorn of her northern provinces Afghanistan would suffer heavy economic loss. But history has shown that Afghanistan can subsist as a State without them<sup>4</sup>.'

Sir F. Humphrys, as already noticed, dissents from this view.

It will probably be admitted however, that although great "pressure" might be brought to bear on Great Britain and India by a successful Russian advance to the Hindu Kush, it could not be said with certainty that a revolution in India would necessarily follow, and the prospects of achieving the 'unlimited objective' by the second alternative must be recognised, even by the most sanguine Bolshevik, to be highly speculative.

(3) Sir F. Humphrys considers that the Russianised air force in Kabul is intended to constitute an 'advanced base'. But if so, since an advanced base could not be maintained in a hostile country, the Russian scheme must contemplate a friendly Afghanistan, and not an Afghanistan antagonised by the absorption of the northern provinces.

(4) The second alternative involves throwing off the mask at a much earlier stage than the third, and consequently the risk, not only of alarming Afghanistan itself and all other Eastern peoples of whom Russia professes to be the friend, but also of facilitating intervention by Great Britain, on whose inactivity the Soviet could not, and as we have information to show does not, rely.

As Sir F. Humphrys says 'Afghan co-operation can be counted on to assist a British attempt, in any part of the world, to regain the lost Northern Provinces';<sup>5</sup> and the Soviet Government are probably aware of the fact.

When the nationalist Republics were established in 1924 it certainly seemed as if the second alternative had been selected, but this 'nationalist and conciliatory policy'<sup>6</sup>, as Sir F. Humphrys calls it, while tending perhaps to conciliate the local Tajiks and Uzbeks on the Russo-Afghan border, was clearly calculated to alarm the Central Government;<sup>7</sup> and this is one reason why it may have been modified, if not altogether abandoned.

(5) The rapid rise and fall of Soviet leaders suggests that, if Russian policy is no longer subject to the instability from which it suffered, according to Lord Curzon, under the Tsarist regime, it is still far from being fixed and continuous. Consequently, if at the moment the third alternative is in favour

<sup>1</sup>Para 415

<sup>2</sup>Cf., remarks of S. Nadir Khan. (A. S. XV, 157).

<sup>3</sup>Tel. 625 (30-5-1925) from Viceroy to S. of S. (A. S. XVIII, 86).

<sup>4</sup>G. of I, despatch 9 (7-10-1926).

<sup>5</sup>Kabul despatch 23 (21-2-1927).

<sup>6</sup>Kabul tel. 59 (11-5-1925) (A. S. XVIII, 50).

<sup>7</sup>Para 418.

there may yet be a sudden reversion to the second, particularly if no progress is made in the present policy of supporting and controlling the Central Government.

' Should she ever feel permanently baulked in larger designs, the danger of her seeking compensations in a policy of absorption will be the greater, because the infiltration of Russian personnel into Afghanistan, and especially in the north, will provide her with the agency for hastening it on<sup>1</sup>. '

(6) Whatever the approved policy of the Soviet Government may be, the first step in it is clearly to effect the peaceful penetration of Afghanistan, and the predominance of Russian influence in Kabul.

401. The change in Russian tactics.—The policy of intensive penetration seems to have been adopted soon after the arrival of M. Stark in Kabul on June 28, 1924.

' The attitude of Russia towards Afghanistan appears to have undergone a remarkable change during the last few months. Formerly, their ruthless treatment of persons suspected of counter-revolutionary sentiments in the Central Asian Soviet Republics was reflected in their overbearing behaviour towards Afghans in general..... attempts were made to browbeat the Afghans by such clumsy means as the production by the Soviet Legation in Kabul of a cinema film, depicting atrocities inflicted by Red soldiers on Bokharans..... A complete reversal of policy is apparent. Anti-religious and Communistic dogmas are no longer employed for the conversion of the proletariat. Instead, a spirit of nationalism is being fostered by the creation of nationalist Republics along the Russo-Afghan border. Negotiations for a trade agreement between the Soviet and Afghan Governments are being conducted in Kabul, and private trade is no longer forbidden ..... The subsidy guaranteed to the Amir by treaty is being paid with some approach to regularity. The delivery of war material promised under the treaty is being speeded up, and, most significant of all, gifts outside the terms of the treaty are being pressed on the Amir in return for concessions calculated to further the infiltration of Bolshevik doctrines into Afghanistan.<sup>2</sup>'

#### 402. Russian attempts and achievements.

##### 1. Fulfilment of the Russo-Afghan Treaty.

(a) Delivery of munitions.—There is reliable information to show that this had begun soon after the close of the Russo-Afghan crisis, over Bokhara affairs, in 1922.

By June 1924 it appeared that 7,500 rifles, 12,000,000 rounds of ammunition and 12 guns had been delivered, but only the first year's subsidy had been paid in cash. The 12 aeroplanes promised by the Treaty had also not been delivered, since the Russians wished to fly the machines to Kabul, while the Afghans insisted that they should be brought by road.

The arrival by air at Kabul of two British machines on August 22, 1924, presumably rendered it impossible for the Afghan Government to maintain their previous objections to delivery by air, and on October 1, 1924, four Russian service machines and a Junker monoplane arrived at Kabul from Termez.<sup>3</sup>

In July 1925 four more Russian aeroplanes reached Kabul, and two more arrived later, making a total of 11 effective machines in all. Striking to the popular imagination as the arrival and operations of these machines in Kabul undoubtedly were, it must be remembered that according to British intelligence 12 aeroplanes with air personnel had been promised by the Treaty, and that, until Afghan pilots had been trained the only possible means of maintaining such an air force in Kabul was by the employment of Russian personnel. The latter were only accepted by the Amir after he had applied in vain for British organisation of his air force,<sup>4</sup> and had also, it was stated, made enquiries as to the possibility of obtaining air personnel from other countries.<sup>5</sup>

Eight anti-aircraft guns are understood to have been handed over, of which two<sup>6</sup> have been mounted.

<sup>1</sup>Ad. of I. despatch 9. (7-10-1926).

<sup>2</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>3</sup>Kabul tels 193 and 194 (1-10-1924) (A. S. XVI, 170 and 181).

<sup>4</sup>Kabul tel 112 (23-5-1924), and 203 (17-11-1924) (A. S. XIV, 286 and XVII, 7) and despatch 68 (23-5-1924), (A. S. XIV, 292).

<sup>5</sup>Kabul tel. 174 (8-9-1924), (A. S. XVI, 58), and tel. 1255 (7-10-1925) from Viceroy to S. of S. (A. S. XIX, 52).

<sup>6</sup>(F. 431, F, 1927).

In May 1926 it was reported that a party of Afghan officers was—

' proceeding to Russia shortly to select type of artillery which Soviets offer to supply to Afghan Government. This evidently refers to field guns promised in secret clause of Treaty, which have never been delivered.'<sup>1</sup>

**403. (b) Construction of the Kushk Herat Kandahar Kabul telegraph line.**—This project which was completed during the period under review was also the fulfilment of a Treaty obligation.<sup>2</sup>

**404. (c) The powder factory.**—The establishment of a powder factory under Russian auspices was believed to have been mentioned in one of the secret clauses of the Treaty, but the scheme was reported in March 1927 to have been abandoned.<sup>3</sup>

It appears that the Russians are now not in favour of establishing this factory, which might make the Afghan Government less dependent on Russia as regards munitions than it is at present.

**405. (d) The subsidy.**—Out of the million gold roubles a year promised in the Treaty only a small proportion is believed to have been paid in cash; the balance is evidently being paid 'in kind'.<sup>4</sup>

**406. 2. Assistance outside the Russo-Afghan Treaty.**—

**(a) Additional rifles.**—On April 15, 1925 the Amir told the Minister that—

' Russians had given him 5,000 rifles as well as those promised under the Treaty, and though no doubt this generous act was prompted by some ulterior motive, it had produced an effect on Afghan people of whom many were becoming Russophiles.'<sup>5</sup>

There appears to be only the Amir's statement to support the fact of this gift, and whether it was really a gift or merely some of the subsidy arrears paid in kind seems to be uncertain. That there was a possibility of a book credit of this kind is shown by a telegram from the Minister :—

'Amir it appears contemplates placing of two large orders for rifles :—

(1) in Russia to be debited against subsidy.'<sup>6</sup>

and it seems certain that the cost of the 15,000 rifles and 15 million rounds delivered in 1926 was so debited.

**407. (b) Russia State Bank.**—

' Grobba informs me that Soviet Legation is negotiating with Amir for concession for opening branch of Russian State Bank in Kabul',<sup>7</sup>

but the proposal came to nothing :—

' Assistant Minister Finance informs me that Afghan Government have definitely rejected proposal for Russian Bank in Kabul '<sup>8</sup>

**408. (c) Wireless station.**—In August 1925 the Minister was informed by Ebner, of the Deutsch Afghanische Compagnie, that the Russians had offered to instal a wireless station at Kabul on easy terms<sup>9</sup>, and in November it was stated that the offer had been made to give this installation free of all cost.<sup>10</sup>

In February 1927 'latest advices' showed that the Amir was not likely to close with this offer,<sup>11</sup> and in March it was stated that the contract had been definitely secured by a French firm.<sup>12</sup>

**409. (d) Training Afghans in aviation.**—In April 1925 twenty Afghans left for Tashkent to be trained in aviation.<sup>13</sup> The Amir subsequently informed the Minister that the inclusive cost per student was £12 a year.<sup>14</sup> Their training does not appear to have been altogether satisfactory;<sup>15</sup> but some hopes seem to have been built on them, since in 1927 eight Russian pilots were reported to be

<sup>1</sup>Kabul tel. 67 (22-5-1926) (A. S. XX, 46).

<sup>2</sup>Russo-Afghan Treaty Supplementary Clause (2). Kabul tel. 11 (29-1-1927) (A. S. XXI 48).

<sup>3</sup>Diary M. A. Kabul (5-3-1927).

<sup>4</sup>(F. 431, F 1927).

<sup>5</sup>Kabul tel. 48 (20-4-1925) (A. S. XVII, 294).

<sup>6</sup>Kabul tel. 131 (4-9-1925) (A. S. XIX, 6).

<sup>7</sup>Kabul tel. 120 (25-8-1925) (A. S. XVIII, 276).

<sup>8</sup>Kabul tel. 17 (7-2-1927) (A. S. XXI, 70).

<sup>9</sup>Kabul tel. 122 (26-8-1925) (A. S. XVIII, 282).

<sup>10</sup>Kabul tel. 145 (18-11-1925) (A. S. XIX, 99).

<sup>11</sup>Tel. 260 (5-2-1927) from G. of I to Min., Kabul (A. S. XXI, 56).

<sup>12</sup>Kabul tel. 40 (20-3-1927) (*ibid.*, 109).

<sup>13</sup>Kabul tel. 50 (26-4-1925) (A. S. XVIII, 301).

<sup>14</sup>Kabul despatch 75 (5-9-1925) (A. S. XIX, 22).

<sup>15</sup>Para 553.

leaving Afghan Service. The idea seems to have been that they should be replaced by these Afghan students.

410. (e) Survey of road to Patta Kesar via the Salang Pass.—A party of 20 Russians was engaged on this work which may perhaps be regarded as falling under Supplementary Clause 3 of the Treaty.<sup>1</sup>

411. (f) Construction of a telegraph line from Kabul to Termez.—This work is understood to be in progress and, like the last, may be regarded as covered by the Treaty, while the cost of it will perhaps be debited against the subsidy or else set off against that of a section of the Herat Kabul line, which has been constructed by Afghan agency.

412. 3. General penetration.—

(a) Attempt to secure commercial agencies in North Afghanistan.—

'Manager of Deutsch Afghanische Company in Kabul was recently approached by a member of Soviet Legation to appoint Russians as agents of firm for purchasing from the North. He said that Soviet Legation would make good losses, even if they amounted to 100 per cent. Offer was refused.'<sup>2</sup>

413. (b) Establishment of local branch of Vneshtorg.—

'I was informed by Bernardi that 50 Russian Agents of Vneshtorg, who are shortly expected in Kabul, are coming nominally for trade, and in reality for propaganda only.'<sup>3</sup>

This project does not appear to have been carried out, and the Amir—

'ridiculed the idea that he would ever be willing to make over the control of Afghan trade to the Russians.'<sup>4</sup>

The existence however of an unrecognised branch of this institution in Mazar-i-Sharif has been reported.<sup>5</sup>

414. (c) Increase in number of Russians in the country.—In May 1925 the British Minister reported:—

'There are now fifty two Russians, including eighteen ladies, in Kabul alone, and twenty more are expected shortly.'<sup>6</sup>

and in July—

'According to my information there are at present 81 European Bolshevik Russians in Kabul, of which 29 (including 8 women) belong to aviation mission. Remainder (including 10 women) are attached to Legation. .... Bolshevik Russians in Kabul a year ago did not exceed 25.'<sup>7</sup>

In July 1926 he estimated the number of Bolshevik Russians in Kabul to be 'probably not less than 170'.<sup>8</sup>

The increase in two years thus appears to have been from approximately 25 to 170. The latter figure seems to include in addition to the personnel of the aviation mission (29), the Urtatagai Commission which had reached Kabul in the previous May, and the Trade Convention delegates. In any case, although not perhaps so large as it appears at first sight, the increase is considerable.

415. Activity in Northern Afghanistan.—In addition however to the Russians in Kabul itself there were the staffs of the Northern Consulates to be considered, and these the Minister regarded as the most serious menace:—

'More important still, the Russian Consuls at Herat, Maimena, and Mazar-i-Sharif are reported to be extremely active propagandists, and to be negotiating for the employment in Northern Afghanistan of Russian engineers for telegraph construction, road, building and irrigation.'<sup>9</sup>

This however was no new factor. These consulates were established under the Russo-Afghan Treaty, and no one ever supposed that Bolsheviks would refrain from propaganda: on the other hand, our information as to the actual results of such propaganda north of the Hindu Kush is admittedly very

<sup>1</sup>Moscow despatch (8-5-1926) (A. S. XX, 80). Kabul despatch 56 (26-7-1926) (*ibid*, 143.)

<sup>2</sup>Kabul tel 128 (1-9-1925) (A. S. XVIII, 292).

<sup>3</sup>Kabul tel 147 (18-11-1925) (A. S. XIX, 101).

<sup>4</sup>Kabul despatch 87 (14-9-1926) (A. S. XX, 213).

<sup>5</sup>Para. 619.

<sup>6</sup>Kabul despatch 34 (21-5-1926) (A. S. XVIII, 80).

<sup>7</sup>Kabul tel. 97 (5-7-1925) (*ibid*, 175).

<sup>8</sup>Kabul despatch 56 (26-7-1926) (A. S. XX, 143). (The Military Attaché's estimate was 112).

<sup>9</sup>Kabul despatch 34 (21-5-1926) (A. S. XVIII, 80).

defective. The 'gap' in the British intelligence system between Meshed and Kashgar is mentioned in official correspondence,<sup>1</sup> while Major Harvey Kelly, Military Attaché of the Kabul Legation, after a tour to Afghan Turkestan in the summer of 1925 reported:—

'Merchants and others dependent upon trade have a distinct anti-Russian bias. This is partly due to losses over roubles and partly to the destruction of the Bokhara trade. The officials near the frontier also dislike the Russians. The feeling may be no more than usually exists among frontier officials of all nations.'

Bolshevism. The uneducated neither know nor care what the meaning of 'Bolshevism' is. What, however, the more disreputable classes of Afghan Turkistan do know and do care about is that a change of régime means a revolution, and a revolution means an opportunity to plunder those better off than themselves. It is from this class that danger was feared. The firm measures taken by the Governor to stamp out lawlessness have scattered the more unruly elements. At present there does not appear to be any immediate cause for anxiety.'<sup>2</sup>

Major Dodd who paid a visit to Herat in April 1927 reported that there were in all 23 Russians 'in or based on Herat,' including a telegraph construction party of 12, and two individuals said to be Mensheviks.

'Herat I am of opinion from personal observation and enquiry that Russian influence in Herat is by no means so strong as one has been led to suppose by previous reports. The Consulate, far from being a hot bed of intrigue and 'red' propaganda, appears to be a quiet country house where occasional parties are given, and which is only visited by Afghans in the ordinary course of their social and official duties.....Finally it would seem that the Soviet are making no attempt to obtain political domination of this area. There are no signs of any preparation for a military invasion, and peaceful penetration is only being carried on its mildest form.'

On the other hand Patwardhan, the Indian airman in Afghan employ, stated in September 1926 that—

'There were about a hundred Russians in Herat and the telegraph line, on which about fifty of them were employed, had reached a place 70 miles south of Herat.'<sup>3</sup>

It is consequently very difficult to come to any definite conclusion as to the success of Russian propaganda in Northern Afghanistan, and the Foreign Office Memorandum of June 9, 1925 speaks of 'the lack of definite confirmatory evidence of Bolshevik propaganda activity in the northern marches of Afghanistan.'

**416. Real value of Russian achievements.**—Elsewhere the achievements of the Russian policy of penetration seem to be limited to the control of the Afghan air force, the training of Afghan pupils in aviation, the construction of the Herat-Kabul and Kabul-Termez telegraph lines, the employment of engineers for the survey of the Salang route, a supply of arms beyond those promised by the Treaty, and a considerable increase, at any rate for the time being, in the number of Bolshevik Russians in Kabul.

Of these the control of the air force, and the training of aviation pupils were the outcome of the Russo-Afghan Treaty, in combination with a considered decision on the part of His Majesty's Government. The construction of the Herat-Kabul telegraph line, at any rate, and the supply of engineers were also covered by the Treaty. The supply of arms may or may not have been free, but did not prevent the Afghan Government, in August 1925, from making enquiries,<sup>4</sup> which the Minister seems to have regarded as quite possibly genuine,<sup>5</sup> indicating an idea of placing a very large order for rifles with the Birmingham Small Arms Company, or the purchase in Italy in 1925 of munitions worth £25,000.<sup>6</sup>

As to the increase in the number of Russians actually in Kabul, it is by no means obvious that such a development is an unqualified political asset, and it may be suggested that the propagandist value of personnel depends on quality rather than quantity:—

'The promiscuity and indecency of their behaviour is reported to have scandalised even the most liberal minded Afghans.'<sup>7</sup>

<sup>1</sup>Kabul despatch 39 (4-3-1924) (A. S. XIII, 228-A).

<sup>2</sup>Enclo 2 to Kabul despatch 11 (1-2-1926) (A. S. XIX, 218).

<sup>3</sup>Kabul despatch 92 (27-9-1926) (A. S. XX, 234).

<sup>4</sup>(A. S. XVIII, 211).

<sup>5</sup>Tel. 2218 (21-8-1925) from S. of S. to Viceroy (*ibid*, 266).

<sup>6</sup>Kabul tel. 131 (4-9-1925) (A. S. XIX, 6).

<sup>7</sup>Kabul tel. 92 (29-6-1925) (A. S. XVIII, 167).

<sup>8</sup>Kabul despatch 70 (29-8-1925) (*ibid*, 295).

'The social reputation of the Russian colony generally is not likely to be enhanced.....by the arrival of several undesirable women.'<sup>1</sup>

'The newly arrived French Minister at his first official call could find no one to receive him at the Soviet Legation, and so left without seeing any body. The few persons who now visit there report that the dirt and squalor within the Legation are appalling.'<sup>2</sup>

**417. The other side of the account. Failures.**—On the other side of the account must be placed the failure, hitherto, of the Russians to secure their objects in respect of Commercial Agents in Northern Afghanistan, the establishment of the Vneshtorg, the wireless installation in Kabul, and the State Bank.

**418. The Amir's attitude towards Russian overtures.**—Among the failures of Russian policy it is reasonable to include also the excitement of Afghan suspicions as to the motives for their generosity, and the objectives of their policy:—

'It is reported on good authority that the Russian offer of a free gift of the aeroplanes brought to Kabul in October was refused by the Afghan Government, on the ground that the two Bristol Fighters were supplied by the British Government on payment. The Afghans have now been charged £15,000 for the Russian machines, which is considerably in excess of their market value.'<sup>3</sup>

In this direction the unanimity expressed by the Afghan leaders is wonderful. Thus the Amir:—

'Russia was really his enemy.'<sup>4</sup>

'The existence of the danger is recognised by the Amir and by all intelligent Afghans.'<sup>5</sup>

'Amir said that he was not blind to the danger of Russian penetration.'<sup>6</sup>

'So far from the Soviet being a friend of Afghanistan, it was plotting night and day for the destruction of his dynasty and the bolshevising of his country.'<sup>7</sup>

'This remark provoked His Majesty to a violent outburst, in the course of which he denounced Soviet Government as treaty-breakers, wanton aggressors, revolution mongers, and enemies of his person and his throne.'<sup>8</sup>

S. Ghulam Siddiq, Foreign Minister:—

'He.....found it difficult to resist conclusion that Russia was animated by a two-fold desire, to bring Afghanistan into Soviet fold, and to use it as base for subversive activities in India.'<sup>9</sup>

S. Ali Ahmad Khan, Governor of Kabul:—

'Views of Governor of Kabul, concerning dangers threatening Afghanistan and antidote to be found in friendship with England, bear striking resemblance to those voiced by Afghan Foreign Minister.'<sup>10</sup>

S. Mahmud Tarzi:—

'He was at his wits end to devise a diplomatic guarantee against another violation of Afghan territory by the Russians.'<sup>11</sup>

S. Sher Ahmad Khan, Officiating Foreign Minister:—

'As a man of common sense, however he could see that the policy of Russia was essentially aggressive, and was directed to the acquisition of India, an object she could not achieve until Afghanistan had ceased to exist as an independent Power.'<sup>12</sup>

S. Nadir Khan, who believes that Russian policy is directed to the second alternative, i.e., the absorption of the area north of Hindu Kush:—

'Bokhara and Khiva which were always regarded by the Afghans as buffer States have recently been swept away, so that the Russian menace has now become an immediate one.'<sup>13</sup>

<sup>1</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>2</sup>Dairy M A Kabul (22-1-1927).

<sup>3</sup>Kabul despatch 12 (14-2-1925) (A. S. XVII, 160).

<sup>4</sup>Kabul tel 190 (28-9-1924) (A. S. XVI, 161).

<sup>5</sup>Kabul despatch 70 (29-8-1925) (A. S. XVIII, 295).

<sup>6</sup>Kabul tel. 132 (4-9-1925) (A. S. XIX, 7).

<sup>7</sup>Kabul despatch 75 (5-9-1925) (*ibid*, 22).

<sup>8</sup>Kabul tel. 117 (9-9-1926) (A. S. XX, 192).

<sup>9</sup>Kabul tel. 79 (27-5-1927) (A. S. XXI, 238-A).

<sup>10</sup>Kabul tel. 77 (26-5-1927) (*ibid*, 244-A).

<sup>11</sup>Kabul despatch 49 (1-7-1926) (A. S. XX, 107).

<sup>12</sup>Kabul memo. 804 (20-9-1924) (A. S. XVI, 130).

<sup>13</sup>Paris despatch (14-1-1926) (A. S. XIX, 226) and see Kabul despatch 14 (16-6-1923).

His brother M. Hashim Khan is equally alive to the situation :—

‘ The Bolshevik menace, threatening both India and Afghanistan ’<sup>1</sup>

‘ If the present opportunity were allowed to slip, it would be difficult later on to combat the effects of Soviet propaganda, which had an attraction for young unformed minds ’<sup>2</sup>

**419. The Urtatagai affair.**—The greatest Russian failure of all is perhaps to be found in the Urtatagai incident:—

‘ It is safe to say that this single act of aggression has undone the work of years, and has dealt Russian prestige a blow from which she will find it hard to recover. It is clear that every Russian now in Kabul is regarded with suspicion by the Amir, and by the majority of his advisers. M Stark’s position must be especially mortifying ’<sup>3</sup>

M. Stark himself is reported to have regarded his policy as generally unsuccessful, apart from the immediate results of the Urtatagai affair, since in January 1926 it was reported that—

‘ Stating that he is in bad health, that he finds it impossible to make headway with the Afghans, and that his policy has generally failed, the Russian Minister talks of leaving Kabul next April on permanent transfer.’<sup>4</sup>

and in May 1926, that—

‘ Grobba was told by Stark that he hopes to leave Kabul for good in August, as he is disgusted at the failure of his policy.’<sup>5</sup>

‘ Amir said that Stark had complained to him that day that he was taking his cue more and more from British Legation.’<sup>6</sup>

(It seems, however, that these statements must be accepted with some reserve, as M. Stark in fact proceeded merely on a year’s leave: starting for Russia on September 15, 1926<sup>7</sup>, and returning punctually on September 14, 1927<sup>8</sup>).

**420. Official opinions as to the success of Russian policy.**—In the summer of 1925 the expressions used in official correspondence, as to the success of the new Russian tactics in Afghanistan, were picturesque and alarming:—

‘ I see permanent menace to the interest of His Majesty’s Government in insidious Russian penetration of Afghanistan.’<sup>9</sup>

‘ Persistent infiltration into Afghanistan of Russian personnel, which, ever since Stark appeared on the scene, has been growing steadily and shows no sign of abatement.

‘ This Russification.’<sup>10</sup>

‘ I gather . . . . that you consider that more heroic measures are called for, in view of alarming rapidity of Russian penetration.’<sup>11</sup>

Whether the ascertained results of these tactics justified these descriptions at the time will remain a matter of opinion, but after the Urtatagai affair the tone of the British Minister’s reports is more reassuring:—

‘ I would confidently assert that, in spite of all appearances to the contrary, the King and the majority of thinking Afghans are just as anxious as formerly to avoid dependence on either Russia or England. The employment of Russians in the Afghan air force, whatever annoyance it may cause to Great Britain, is, I am convinced, a passing phase. . . . . The keynote of Afghan foreign policy is still complete independence, and so long as this tendency persists, there seems to me to be little danger of Russia’s obtaining a predominant influence in Kabul.’<sup>12</sup>

In February 1927, however, the Government of India again referred to ‘ the increasing signs of Russian penetration’, although the allusion is not quite clear.<sup>13</sup>

<sup>1</sup>Kabul memo. 442 (12-7-1924) (A. S. XV, 157).

<sup>2</sup>Moscow despatch (4-12-1925) (A. S. XIX, 161).

<sup>3</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>4</sup>Kabul tel. 4 (18-1-1926) (A. S. XIX, 171).

<sup>5</sup>Kabul tel. 60 (6-5-1926) (A. S. XX, 32).

<sup>6</sup>Kabul tel. 84 (26-6-1926) (*ibid*, 96).

<sup>7</sup>Kabul despatch 111 (29-10-1926) (*ibid*, 279).

<sup>8</sup>Kabul tel. 108 (15-9-1927) (A. S. XXII, 138).

<sup>9</sup>Kabul tel. 59 (11-5-1925) (A. S. XVIII, 50).

<sup>10</sup>Tel. 1255 (7-10-1925) from Viceroy, to S. of S. (A. S. XIX, 52).

<sup>11</sup>Tel. 1882 (10-7-1925), from S. of S., to Viceroy (A. S. XVIII, 180).

<sup>12</sup>Kabul despatch 104 (21-10-1926) (A. S. XX, 272).

<sup>13</sup>Tel. 333 (18-2-1927), from Viceroy, to S. of S. (A. S. XXI, 69).

**421. Minor Russian difficulties.**—Apart from his major failures, there are indications that in minor matters M. Stark's path has not been altogether a smooth one.

In February 1926, we hear of him as being at loggerheads with Agabekoff, the 'chief agent for anti-British propaganda among the tribes of the North-West Frontier,'<sup>1</sup> who was recalled soon afterwards.<sup>2</sup>

In January 1926 the Russian air force was reported to be immobilised by lack of aviation spirit, while the supplies received from Russia were inferior, and two pilots were said to have left permanently.<sup>3</sup> The visit of the Russian aviators to Jalalabad is stated to have resulted in the acquisition of little information.<sup>4</sup>

An attempt reported to have been made in May 1926 to induce the Afghan Government to foment disturbances on the Indo-Afghan frontier failed—

"His Majesty the Amir replied that Afghanistan was friendly towards Great Britain, and he declined to be cat's paw in the interests of others."<sup>5</sup>

**422. The present trend of Russian policy.**—From the evidence available it seems probable that the Russians will continue to press the Afghans to receive their subsidy in kind rather than cash, and in such a form as will involve or facilitate the employment of Russians in Afghanistan. An expansion of the airforce would seem to offer this advantage, and be likely to enhance the success, from the propagandist standpoint, already achieved by the Russian air personnel.<sup>6</sup> The conclusion of a Trade Agreement would perhaps be followed by the arrival of Russian commercial agents, whether as representatives of the Vneshtorg or otherwise; and in short, the Soviet Government seems likely to continue its policy of peaceful penetration by any means which may be available.

Whether the Amir can be trusted in his own interest not to allow this penetration to proceed beyond the danger point must remain for the present a matter of conjecture.

**423. British measures to counter the Bolshevik menace.**—In January 1925, His Majesty's Government called for the views of the Minister at Kabul, as to measures which could be taken to counter the Bolshevik menace.<sup>7</sup>

Sir F. Humphrys in reply suggested—

'(1) We should bring to bear diplomatic pressure in Europe, when required, to prevent absorption of any part of northern Afghanistan by Soviet, by political, no less than by military, aggression.'

'(2) By convincing Amir and his advisers of essential divergence of British and Russian aims, latter working for Afghanistan's dismemberment and the former for its unity, British Legation at Kabul should continue endeavours to frustrate and expose subversive designs of Soviet.'

His concrete proposals were (1) the establishment of British Consulates at Mazar-i-Sharif and Herat, 'in exchange for Afghan Consulates at Quetta and Peshawar. This would, however, inevitably raise thorny question of Russian Consulates in Eastern Afghanistan.' (2) the adoption of the policy of the 'subsidy in kind.'<sup>8</sup>

A suggestion was made by His Majesty's Government that it might be possible to adopt more active measures to counter Soviet propaganda, by contradiction of Bolshevik lies and the exposure of Soviet malpractices and designs<sup>9</sup>, although it was noted that we are "debarred by Trade Agreement" from direct anti-Soviet propaganda.<sup>10</sup>

The whole question was discussed by the Government of India with Sir F. Humphrys. As a result of these discussions the following conclusions were reached :—

<sup>1</sup>Kabul tel. 18 (4-2-1926) (A. S. XIX, 207).

<sup>2</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>3</sup>Kabul tel. 7 (23-1-1926) (A. S. XIX, 177).

<sup>4</sup>Kabul despatch 56 (26-7-1926) (A. S. XX, 143).

<sup>5</sup>Kabul tel. 57 (3-5-1926) (*ibid*, 24).

<sup>6</sup>See minute by For. Secy., G of I. (27-5-1927) (A. S. XXI, n. p. 21).

<sup>7</sup>Tels 3 and 4 (23 and 24-1-1925), from S. S. F. A., to Min., Kabul, (F. 264-X, 1, 2).

<sup>8</sup>Kabul tel. 22 (4-2-1925), (*ibid* 4)

<sup>9</sup>F. O. tel. 35 (31-8-1925) (*ibid*, 35)

<sup>10</sup>F. O. tel. 11 (23-1-1925), to Min., Tehran, (*ibid*, 1).

**424. (1) Russian air personnel.—**As Russian infiltration proceeded—

‘insidiously on commercial or pseudo commercial lines, or in the guise of assistance to, the Afghan Government in the development of Afghanistan’,

it offered, with one exception, no opportunity for specific objection. The exception was the employment of Russian air personnel, and it was proposed to notify the Afghan Government that the presence of this personnel in the South Eastern zone was unfriendly and provocative.

**425. (2) Counter propaganda.—**Was not recommended.

‘We agree at the same time that Humphrys should continue to expose in Kabul, in a tacitful manner, Soviet designs, whether for expansion southwards, or for making use of Afghanistan as a cat's paw against India.’

**426. (3) Warning to Soviet Government.—**

‘When favourable opportunity offers, Soviet Government should be given clearly to understand that grave offence would be caused to His Majesty's Government by any attempt at absorption of Herat, or other northern provinces of Afghanistan into the Soviet system’.

**427. (4) Replacement of Russians in Afghan military employ by others.—**

‘While discouraging employment of Afghanistan by every means in our power, we should, by abstaining as far as possible from placing obstacles in the way of the Amir's employment of other foreigners, remove any doubt as to the sincerity of our motives.’

**428. (5) Material assistance in kind<sup>1</sup>—**

‘By granting the Amir material assistance in kind, (provided that he asks for it, has earned it, and it is to the mutual advantage of India and Afghanistan) we should endeavour to wean him from dependence on Russia.<sup>2</sup>

**429. Decisions on these proposals—**

(1) was after some discussion accepted by His Majesty's Government. An oral and informal warning was given to the Amir who in return gave certain undertakings ; also, the supply of aviation accessories from Government factories was refused.<sup>3</sup>

(2) the suggestion made by the Government of India was approved,<sup>4</sup> and action has been from time to time taken on these lines by the Minister.<sup>5</sup>

(3) His Majesty's Government saw ‘little prospect at present of gaining anything by representation to Soviet Government.’<sup>6</sup>

The Government of India raised this question again in connection with the Urtatagai incident, and it is understood to be under reconsideration.<sup>7</sup> The possible effect of such a warning on the future trend of Afghan policy is clearly a factor to be taken into account.

(4) His Majesty's Government called attention to the ‘difficulty as regards Germans.’<sup>8</sup>

(5) The action taken in pursuance of the policy of the ‘subsidy in kind’ is noticed elsewhere.<sup>9</sup> It was in connection with the ‘Soviet menace through Afghanistan’ that ‘the extension of railways from Chaman to Kandahar, and from Landi Khana to Kabul’, was held to ‘present undoubted military advantages’<sup>10</sup>, and in August 1926 Sir F. Humphrys said

‘On political grounds I am strongly of opinion that improvement of communications between South Eastern Afghanistan and India is the best counter we can put up here against Soviet menace in this country’<sup>11</sup>

<sup>1</sup>See Ch XXIX.

<sup>2</sup>Tel. 1323 (22-10-1925) from Viceroy, to S of S (F.-264-X, 46).

<sup>3</sup>Para 550.

<sup>4</sup>Tel. 3187 (2-12-1925), from S. of S., to Viceroy (A. S. XIX, 113).

<sup>5</sup>Kabul despatch 75 (5-9-1925) (A. S. XIX, 22) and tel. 96 (26-7-1926) (A. S. XX, 134).

<sup>6</sup>Tel. 3188 (2-12-1925), from S of S., to Viceroy (A. S. XIX, 114).

<sup>7</sup>Tel. 68 (11-1-1926), from Viceroy, to S. of S. (*ibid*, 160).

<sup>8</sup>Tel. 3188 (2-12-1925), from S. of S., to Viceroy (*ibid*, 114).

<sup>9</sup>Paras 570-577.

<sup>10</sup>O. tel. 26 (14-8-1926) (A. S. XX, 158).

<sup>11</sup>Kabul tel. 107 (18-8-1926) (*ibid*, 168).

The subsequent discussions of schemes for railway extensions into Afghanistan are noticed elsewhere.<sup>1</sup>

**430. Policy in regard to presence of Russians, other than air personnel, in the South-eastern zone.**—Sir F. Humphrys was of opinion that the warning against the presence of Russian air personnel in the South-eastern zone should be extended to cover any other Russian personnel in that area; and proposed to explain to the Amir that:—

'Principle of exclusion of Russians from South-eastern Zone, except on temporary visit is necessary condition of British friendship, and is implied in Afghan Treaty'; and when the party of Russians constructing the Herat Kandahar Kabul telegraph line were beginning an extension to Chaman he enquired:—

'If Government of India agree, have I your authority to warn Foreign Minister and King that employment of Russians close to Indian frontier seems to my Government to contravene the spirit of letter III attached to Anglo-Afghan Treaty?'

The Government of India asked—

'whether King's solemn promise, given in response to your request for definite assurance, conveys acceptance of this principle, or was it confined to Russian airmen.'<sup>2</sup> The Minister replied that it was confined to Russian airmen, and the Government of India then stated their opinion that a formal warning against the employment of these Russian engineers close to the Indian frontier could not appropriately be made under the letter of the Treaty, or subsequent assurances.

'We suggest that Minister, if he agrees, might with advantage, at his approaching farewell interview with King, make an opportunity to point out to him not only the strain which Afghan acquiescence in Russian penetration places on Anglo-Afghan relations, but also the dangers to Afghan independence inherent in it.'

On February 23, 1927, Sir F. Humphrys reported:—

'At interview to day His Majesty promised me that Russians would not be employed near Chaman.'

**431. General recommendations by the Government of India.**—A general statement of the policy recommended by the Government of India was given in their despatch 9 of October 7, 1926:—

'Our main object throughout must be to keep Afghanistan alive to the dangers from Russia as we see them; to avoid being drawn by her into an auction with Russia for her favours, yet to be on our guard against driving her over to Russia in despair of receiving due favours from us; to insist on her fulfilling her responsibilities of good neighbourliness towards us, especially over established principles like the exclusion of Russians from the South Eastern zone, not merely because they are important in themselves, but even more as a basis on which our diplomatic position can be consolidated—yet to be on our guard against pressing Afghanistan too far in the direction of offending Russia; to forestall any attempt by Russia to embroil Afghanistan with us, yet to be on our guard against giving Afghanistan the slightest encouragement to think that she could rely on us if she provoked Russia into aggression.'

**432. The real danger; what is it?**—It is not easy to gather from a survey of the situation, as described in the available intelligence, wherein lies the actual danger from the Soviet policy in Afghanistan. Hitherto the Russian achievements do not appear to have been formidable, and such as they are, were for the most part foreshadowed in the Russo-Afghan Treaty of 1921. Failures have been numerous, while the Amir and the leading Afghans are all keenly suspicious of Bolshevik designs. Again, although the present policy of the Soviet Government seems to be directed towards the support and control of the Central Government rather than the dismemberment of Afghanistan, Sir F. Humphrys considers that there is 'little danger of Russia's obtaining a predominant influence in Kabul.'

The answer to the problem is variously stated:—

'While I have no doubt that the existence of the danger is recognised by the Amir and by all intelligent Afghans, the habit of procrastination may prevent them from taking any steps to avert it.'

<sup>1</sup>Paras 581-586.

<sup>2</sup>Kabul tel 11 (29-1-1927) (F. 431, F. 1).

<sup>3</sup>Tel. 266 (6-2-1927) from G. of I. to Min., Kabul (*ibid* 4).

<sup>4</sup>Tel. 333 (18-2-1927) from Viceroy, to S. of S. (*ibid* 6).

<sup>5</sup>Kabul tel. 31 (23-2-1927) (*ibid* 9).

<sup>6</sup>Kabul despatch 104 (21-10-1926) (A. S. XX, 272).

<sup>7</sup>Kabul despatch 70 (29-8-1925) (A. S. XVIII, 295).

" The danger—perhaps the greatest danger to Afghanistan as to India—that greed and the desire to excite British emulation may entice the King into opening the door to Russia further and further, and, with the all powerful aid of Afghan vanity, act as an anodyne to what ought to be his fears.<sup>1</sup>

The latter statement accords with the Amir's own explanation :—

' Afghanistan was very poor and no other nation came forward to help her..... He admitted that this coldness on the part of Great Britain had made him desperate, and driven him into a *rapprochement* with Russia which he now bitterly regretted. He assured me that his chief desire was to disentangle himself from the meshes of the Bolshevik net, which had been spread to ensnare him.'<sup>2</sup>

This attitude appears to have been accepted by the Government of India and Sir F. Humphrys as genuine ; but it is worthwhile considering the possibility of its being largely assumed, in order to induce His Majesty's Government to abandon their attitude of ' coldness ' and loosen their purse strings.

As long ago as 1923, we find the Amir working along these lines. He then ' complained that Great Britain had not showed any inclination to render Afghanistan assistance beyond the terms of the Treaty.....whereas Italy by sending mining engineers, mechanical transport and sericulture experts to Afghanistan, and France by sending professors, had become associated more directly than Great Britain with the progress of his country on modern lines.'<sup>3</sup>

It is noticeable that the Amir's explanation of his attitude towards Russia was offered at an interview in which he ' volunteered the statement ' that ' the best way of affording him assistance would be.....to guarantee him a yearly sum of money.'<sup>4</sup> And it has been suggested that, during the Kabul negotiations of 1921, the probability of an imminent breach with Russia and their own helplessness in the face of it were deliberately exaggerated by the Amir and his advisers, and with considerable success, in order to raise the British offers of assistance.<sup>5</sup>

There is clearly a possibility that these tactics are now being repeated, and that the threat of suicide out of pique or ' greed ' is an empty one ; for the Amir's actions do not altogether accord with his protestations. If he was anxious in 1925 to free himself from the *rapprochement* with Russia which he so bitterly regretted, why should the Urtatagai incident not have been used for the purpose? On the contrary, it was followed by negotiations in which the Afghan Government mooted a defensive alliance with Russia against Great Britain.<sup>6</sup>

In February 1927 the Amir said that ' he had decided to visit Mazar-i-Sharif in April in order to check the Bolsheviks' separatist propaganda. He was convinced that Russians intended to Sovietise his northern provinces.'<sup>7</sup>

He returned from this tour in June, and in September announced his intention of making a protracted journey to Europe, a decision which scarcely bears out his expressed fears in regard to Bolshevik designs on his country.

Other evidence might be adduced in support of the view that the exaggeration of the Bolshevik menace in Afghanistan is a deliberate stratagem, on the part of the Amir and his Ministers, to induce His Majesty's Government to compete with Russia in the ' political auction '<sup>8</sup> from which they have hitherto stood aside. If the Amir has not as yet succeeded in attaining this object, His Majesty's Government are at any rate prepared, in view of the Soviet menace and the Amir's professed attitude towards it, to consider favourably requests which he may make for material assistance.

<sup>1</sup>G. of I. despatch 9 (7-10-1926).

<sup>2</sup>Kabul despatch 75 (5-9-1925) (A. S. XIX, 22).

<sup>3</sup>Kabul despatch 13 (9-6-1923).

<sup>4</sup>Kabul despatch 75 (5-9-1925) (A. S. XIX, 22).

<sup>5</sup>Para. 195.

<sup>6</sup>Para. 354.

<sup>7</sup>Kabul tel. 30 (23-2-1927) (A. S. XXI, 79).

<sup>8</sup>Kabul despatch 6, para. 4 (4-12-1923) (A. S. XI, 40).

## CHAPTER XXIII.

### FRONTIER LIABILITIES, CLAIMS, AND JOINT PROCEEDINGS.

433. **The Principle of Reciprocity.**—The question whether our dealings with the Amir should, or should not be on a strictly reciprocal basis, in other words, whether we should make demands on him which we are not prepared to meet if made by him, is one which goes to the root of Anglo-Afghan relations, and, particularly in regard to Frontier matters, constantly arises for decision.

434. **The Afghan attitude.**—The Amir is for obvious reasons sensitive on the point. As an Afghan he is necessarily a shrewd bargainer, always demanding an adequate *quid pro quo*, and further, he is a King whose independence has only recently been acknowledged, and therefore requires to be all the more jealously maintained.

Any omission to accord him the rights of an equal, especially on the part of the British Government, arouses his apprehensions that his sovereignty is not being treated as a reality, and that he is still regarded as being under tutelage. It is in the readiness or otherwise of His Majesty's Government to deal with him on a basis of reciprocity that the Amir finds a practical test of British sincerity.

435. **Reciprocity admitted by the Treaty of 1921.**—Before the conclusion of the Kabul Treaty of 1921 the Secretary of State referred to the Afghan Government as

' basing huge claims on its presumed equality with civilised nations and fitness to be admitted to relations with them.'<sup>1</sup>

These claims to equality with civilised nations have been maintained ever since, and were, it is important to notice, admitted by the conclusion of the neighbourly Treaty proposed by His Majesty's Government, and described by them as—

' A treaty as between two civilised powers by which provision would be made for reciprocal right to send Envoys and Consuls and for other neighbourly relations.'<sup>2</sup>

It is therefore clear that in theory—and a theory admittedly implied in the Treaty—Afghanistan is a civilised Power, to be treated on a basis of reciprocity.

Unfortunately there was a wide divergence between the theory and the facts. Afghanistan was not civilised, but only trying to be ; and so, even in the territory which she claimed to administer, found it difficult, even if she had the will, to discharge her obligations. The Government of India, on the other hand, are not yet in a position, so far as the tribal belt is concerned, to meet a demand for action against criminals, such as had been made on the Afghan Government in the case of the Kohat gang, and the fact has been publicly advertised by the presence on the British side of the line of Sultan Mir and Gul Akbar for four years after the conclusion of the Shinawri agreement. In these circumstances the practical interpretation of ' reciprocity ' in Indo-Afghan relations has naturally been a question of some difficulty.

Clause XIV of the old ' maximum ' and ' pis aller ' drafts which dealt with the mutual obligations of the Afghan and British Governments in regard to frontier affairs, was based on paragraph 3 of the Mussoorie *Aide Memoire*. The latter of course only stated the obligations of the Afghan Government in the matter.

The following sentence was added by Sir H. Dobbs when drafting Clause XIV :

' The Government of Great Britain similarly agrees to restrain to the best of its ability all persons within the British boundaries from taking action obnoxious to the Afghan Government, and to abstain from all interference with tribes or persons on the Afghan side of the frontier, and from all kinds of political or religious propaganda within Afghan territory.'

<sup>1</sup>Tel. 4177 (16-8-1921), from S. of S to Viceroy (A. S. VI, 164).  
<sup>2</sup>Para. 171.

Sir H. Dobbs did not apparently consider the practical difficulties involved in the fulfilment of such an undertaking as serious. Perhaps he thought that the expression 'to the best of its ability' would come to the rescue in case of need, although it seems that such a qualification would have left a large loophole for evasion. He merely says in his comments on the draft :—

' Clause XIV. Reproduces paragraph 3 of the *Aide Memoire* but I have added the words 'or religious' in connection with the propaganda from which the two parties are expected to refrain. I have also added a sentence to make the British Government undertake similar engagements with reference to Afghanistan'<sup>1</sup>

• The stipulations in this Clause regarding the Afghan obligations are much more detailed than those regarding the British, but it seems from Sir H. Dobbs' comments that the intention was to make them reciprocal. The letter of December 1, 1921, was explicitly reciprocal in its terms :—

' Each Government should prevent to the best of its ability, etc.'<sup>2</sup>

With the receipt of S. Mahmud Tarzi's non-committal reply to this letter the question as to what was involved in neighbourly relations on the Indo-Afghan Frontier was left for decision in practice, together with the question as to the reciprocity of such obligations.

436. **Reciprocity in theory and practice.**—Throughout the crisis of 1923 the Minister at Kabul was careful to keep before His Majesty's Government the bearing of the principle of reciprocity on the British demands for satisfaction; as for instance in connection with the Landi Kotal tragedy :—

' In converse cases in future, e.g., for retribution to be taken against Afridis for the murder by them of Afghan Sangi Khels, it is presumed that His Majesty's Government are prepared for Afghan demands.'<sup>3</sup>

The Chief Commissioner, N. W. F. Province, after objecting to the parallel suggested, went on to say :—

' I do not think that in actual fact Amir would ever ask Government to obtain retribution from Afridis, as this would involve best practical recognition of inclusion of latter within British sphere..... We have here case which is plain test of neighbourly relations. If such relations are to subsist there must be reciprocity within limited range.'<sup>4</sup>

The Government of India merely expressed general agreement with the Chief Commissioner, and the precise meaning of 'reciprocity within limited range' was not elucidated.

The Minister then pointed out the importance of the points involved in their bearing on our Treaty relations with the Afghan Government, especially in regard to frontier administration, and asked for a more definite statement of the views of the Government of India. He also answered the points brought forward by Sir J. Maffey, and quoted an instance in which the Amir had actually asked for retribution from the Shinwaris.<sup>5</sup>

The Government of India sent no reply to this communication. It was however, noted at the time :—

' The Afghans cannot have it both ways. Either they are a civilised Power in which case they must act according to the practice of civilisation, or they are not, in which case they have no legitimate grievance if other methods are used '<sup>6</sup>

The answer to this remark is that, as already noticed, the signature of the 'gentlemanly' Treaty involved the acceptance of the obligation to treat the Amir as a civilised ruler. This was the 'sorry comedy', on which only His Majesty's Government could ring down the curtain.<sup>7</sup>

The question of reciprocity received scant attention at first, but one can trace throughout the correspondence a growing appreciation of its significance, especially in regard to Frontier affairs.

<sup>1</sup>Sir H. Dobbs' note (18-2-1921), (A. S. V., 26).

<sup>2</sup>Para 191.

<sup>3</sup>Kabul tel. 48 (25-4-1923) (F. 517-F, 77).

<sup>4</sup>Tel. 385 (28-4-1923), from N.-W. F. to G. of I. (*ibid*, 87).

<sup>5</sup>Kabul memo. 176 (15-5-1923) (*ibid*, 137).

<sup>6</sup>Minute by Mr. Howell (28-5-1923) (*ibid*, n. p. 43).

<sup>7</sup>See para. 674.

— Thus His Majesty's Government, who, in connection with the Landi Kotal case, had said 'when question of Afghan subjects murdered by British tribesmen arises we will deal with it'<sup>1</sup> were by May 1924 ready to consider converse cases before they occurred :—

' So long as effective control is not exercised right up to the line on the British side, any claim to apply (text book rules) strictly against Afghans obviously might have consequences inconvenient to ourselves in other cases.'<sup>2</sup>

So too, in regard to the demand for a *démenti* in connection with the anti-British articles published in the Afghan Press, the Government of India noticed the possible embarrassment which might be caused by counter demands in converse cases.<sup>3</sup>

To the Afghan mind the most striking admission by His Majesty's Government of the principle of reciprocity was probably the payment of compensation for violation of the Afghan frontier during the bombing of the Tazi Khels.<sup>4</sup>

The suggestions made in the Kabul Treaty despatch of December 1923 throughout assume reciprocity as an 'admitted principle' :—

' On the admitted principle of reciprocity therefore, insistence on 'the removal of troublesome outlaws' by the Afghan Government must lead sooner or later to the extension of British control—possibly 'loose' and 'political' in character, but necessarily effective—right up to the Durand Line. If an asylum is not permissible in Afghan territory, there must be no 'Alsatia' within the British border.'<sup>5</sup>

His Majesty's Government in answering the Afghan Minister's recent note of protest against the Frontier policy of the Government of India used a similar argument :—

' The frontier policy of the Government of India is not in any way directed against Afghanistan. It has on the contrary as one of its objects to place the Government of India in a better position to carry out, in the field of border relations, the obligations of neighbourliness.'<sup>6</sup>

**437. Two ways round the difficulty.**—The only difficulty in the practical application of reciprocity between the British and the Afghan Governments arises from the lack of effective control by either Party over their frontier tribes. Suggestions have been made for getting round this difficulty in two ways :—

(a) by the argument of 'relative reciprocity', which maintains that as the Government of India does not profess to administer the tribal belt, the standard of obligation in regard to this area, must be less exacting than that imposed on the Afghan Government, which claims to administer all the territory within its borders.

There is a hint of this view in the wording of telegram No. 186 of February 10, 1921, from the Viceroy to the Secretary of State<sup>7</sup> :—

' Moreover the proposed undertaking is bilateral, and (on paper) would bear more hardly on Afghan Government, which administers right up to their border, than on us who do not.'

This argument underlies the comparison drawn by Sir J. Maffey between Sangi Khel country, the home of the Landi Kotal murderers, and Peshawar. (Sir F. Humphrys pointed out in reply that the administration of the outlying areas of Afghan territory is extremely loose, and the comparison, therefore, invalid).

It was also used by Sir N. Bolton, when discussing the respective achievements of the Afghan and British authorities in disposing of the Kohat gang.

' Though gang not disposed of yet we succeeded in short period in compelling un-administered tribes to take action, which all Afghan efforts for much greater period have since failed to achieve in their own administered territory, and this seems remarkable achievement.'<sup>8</sup>

<sup>1</sup>Tel 19 (27-4-1923), from S. of S. F. A. to Min., Kabul (F. 517-F, 85-A).

<sup>2</sup>Tel 18 (5-5-1924), from S. of S. F. A. to Min., Kabul (A. S. XIV, 192).

<sup>3</sup>Para. 339.

<sup>4</sup>Para. 237.

<sup>5</sup>Kabul despatch 56, para. 7 (4), (4-12-1923) (A. S. XI, 40).

<sup>6</sup>Letter 3349/354/97 (26-7-1927), from F. O. to Af. Min. (A. S. XXII, 95).

<sup>7</sup>(A. S. IV, 816).

<sup>8</sup>Tel. 17432-P.S (13-12-1923), from N.W. F. to G. of I. (A. S. XI, 3).

Such an argument seems however, quite apart from any question of its logical validity, to be unsatisfactory from the practical standpoint. The Afghan Government would not be likely to accept it,<sup>1</sup> or if they did, would presumably only do so as a preliminary to the preferment by themselves of a claim to interfere on the British side of the line ; and it would be difficult to resist such interference on their part simultaneously with an admission of inadequate control by ourselves ;

(b) by the acceptance 'on paper' of full responsibility for the tribal belt, as a bluff which would never be called,<sup>2</sup> owing to the unwillingness of the Amir to admit British control of this area. It is perhaps unnecessary to discuss the adequacy of bluff as a basis for international relations, but it is important to notice that there have been several instances in which the Afghan Government have, in fact, applied to British authorities for redress against tribesmen of unadministered territory.<sup>3</sup> The 'bluff' therefore has been called already.

**438. Conclusions.—**Reciprocity is implied as a principle in the existing Treaty. Such reciprocity should be absolute, and not relative to local differences of administration. Owing, however, to lack of control over the tribal belt the Government of India are not yet in a position to discharge their obligations in that area ; and, until they can do so, find it difficult to protest against action taken by the Amir in some areas on the British side of the line, nominally or actually with a view to safeguard his own interests. In the following summary of the rules of practice which have emerged from Indo-Afghan dealings on the common frontier, it is assumed that in theory, as admitted by the conclusion of a 'neighbourly' Treaty, the Afghan Government can claim to be treated as a civilised Power on a basis of reciprocity. To treat Afghans as a 'frontier tribe' is an infringement of the principle on which the Treaty is based.

#### 439. Responsibility for Raids.

**The legal position.—**Oppenheim's International Law, Chapter III gives two kinds of State Responsibility :—

- (1) Original.—For injuries done to another State either
  - (a) by itself, i.e., the head of the State or Government, or
  - (b) by officials or other individuals commanded or authorised by the Government.
- (2) Vicarious.—For injuries done to another State either
  - (a) by its functionaries, whether civil or military, acting in their official capacity, but without command or authorisation of the State, or
  - (b) by the State's officials (not acting in an official capacity), or its subjects, or by aliens, temporarily resident in its territory.

In the case of vicarious responsibility of the (b) kind,—and it is under this head that practically all 'raids' fall—damages can be claimed from the Government of the country from which the offenders started, only if the latter Government has failed to exercise due diligence, either in preventing the commission of the murder, or in procuring satisfaction and reparation by punishing the offenders and compelling them to pay damages, if required.<sup>4</sup>

**440. The application of international law to frontier relations.—**Few will maintain that it is necessary or indeed possible to apply the 'text book rules' strictly to the conditions prevailing on the North-West Frontier, while Sir D. Bray has noted that our relations with Afghanistan rest on :—

- ' (1) Treaties and agreements,
- ' (2) Established practice, and only when these fail on
- ' (3) General international law or usage, and it must be our aim to build up a sound body of practice with Afghanistan.<sup>5</sup>'

<sup>1</sup>As an instance of what the Afghan understands by reciprocity may be quoted the rent of the British Legation quarters at Kabul, which was fixed at the same figure as that of the house occupied by the Afghan Minister in London !

<sup>2</sup>Para. 478.

<sup>3</sup>E.g., the Shinwari case, Kabul memo. 176 (15-5-1923) (F. 515-F., 137) and the Shah Pasand case (para. 516).

<sup>4</sup>See notes in the Leg. Dept. (17-3-1924). (A. S. XII, n. p. 22).

<sup>5</sup>Minute by Sir D. Bray (19-6-1924) (A. S. XIV, n. p. 12).

The demands, however, made in 1923 on Afghanistan were without precedent, nor were they covered by any explicit Treaty provision. Consequently there was, even under the rule indicated by Sir D. Bray, nothing on which they could be based, except the principles of international law adapted to local conditions ; and it is in such circumstances, as a safeguard against the creation of unsound precedents, that a reference to international law seems especially useful. It was remarkable in the Finnis case how quickly the discussions terminated, when once such reference had been made.

**441. The demands of 1923.**—Of the various cases which occurred on the Indo-Afghan Frontier in 1923, the Barshor, Spinchilla, Kurram and Abazai raids were settled by payment of compensation for loss of life or property or both ; the responsibility of the Afghan Government being 'vicarious' of the (b) kind ; as it was in the Landi Kotal murder also, where the arrest and genuine trial of the accused were demanded.

In regard to the Kohat gang, the responsibility of the Afghan Government—at any rate until the Parachinar murder took place—was not for anything which had occurred, but only for prevention of crime in the future. The nature of their liability in the Finnis case gave rise to a very lengthy correspondence, as the result of which, while no new demand was made, those already made were reinforced.

In using the demands made in these cases as precedents for the future, it has to be borne in mind that they were devised, not so much to indicate the international responsibility of Afghanistan in each instance, as to show what action would be accepted as proof of a change of attitude. They must therefore be regarded as precedents under Article VI and Letter I of the Treaty, rather than under International law or usage.

The Landi Kotal and the Finnis cases are the only ones that require detailed notice. In the Landi Kotal case the formal demand was for the arrest and genuine trial of the murderers.

The first demand suggested by the Government of India was for 'condign punishment'.<sup>1</sup>

Sir J. Maffey wrote :—  
 'Afghan Government must at the very least realise and fulfil direct responsibility for apprehension of assassins, who operated from Afghan territory, and returned there for asylum.'<sup>2</sup>

In a letter to the Afghan Foreign Minister dated April 26, Sir F. Humphrys demanded their 'immediate arrest and punishment'.<sup>3</sup>

The demand was finally put into its more correct form—for 'arrest and genuine trial'—in the note of September 18.

It is worth noticing that the murder was committed outside Afghanistan, and there was nothing to show whether, in these circumstances, it was or was not punishable under Afghan law. If the Landi Kotal murderers had been put on trial, and had got off on this legal point, His Majesty's Government would have been in a somewhat awkward position. Either the murderers would have been allowed to escape scot free, or the Government which always claims to set the Amir an example of civilised behaviour would have had to require him to override his own laws.

Secondly, it may be asked whether the nationality of the accused, as Afghans, in any way affected the responsibility of the Afghan Government in the case.

Sir J. Maffey, as has been seen, held that the responsibility of the Afghan Government arose from the fact that the criminals had operated from, and returned to, a base in Afghan territory.

In the official correspondence, however, one finds the view frequently stated that the nationality of the criminal affects the liability of his Government, e.g.

Sir N. Bolton says :—

'As regards Finnis case Afghan responsibility would be enhanced, if they claim Afghan nationality for Zilli Khel accused of murder.'<sup>4</sup>

<sup>1</sup>Tel. 434 (11-4-1923), from G. of I. to Min., Kabul (F 517-F, 7).

<sup>2</sup>Tel. 340 (16-4-1923), from N. W. F. to G. of I. (*ibid*, 26).

<sup>3</sup>Letter 109 (26-4-1923), from Min., Kabul to Af. For. Min. (*ibid* 94).

<sup>4</sup>Tel. 58 (30-1-1924), from N. W. F. to G. of I. (A. S. XII, 252).

Mr. Howell agreed with this view :—

' If we assent to this claim (*i.e.*, an anticipated claim by the Afghan Government involving Afghan nationality of the murderers) unquestionably in theory, our hands are strengthened over the Finnis case, though in practice it is doubtful whether there is anything to be gained by demanding the arrest and punishment of individuals'.<sup>1</sup> (A reference apparently to the demand made in the Landi Kotal case).

In connection with the Finnis case, again, the Government of India remarked :—

' Since the offence took place outside Afghanistan, and the offenders are regarded as our subjects we cannot demand arrest and trial by Afghans'.<sup>2</sup>

Now the Landi Kotal murder had taken place outside Afghanistan, and yet a demand had been made for arrest and trial, so the inference is that such a demand was justified only in view of the Afghan nationality of the accused.

This view however seems to be based on principles of tribal, rather than on those of international, responsibility. If Afghans are still to be treated as a 'frontier tribe' then it is of course essential, in order to assess their responsibility for the actions of particular individuals, to ascertain whether those individuals are Afghans or not. (This idea permeates the discussions regarding the nationality of the Wazir and Mahsud colonists<sup>3</sup> in Afghanistan and the liability of Afghans to *barampta*<sup>4</sup>).

If however, as already suggested, our dealings with Afghanistan since the Treaty must be regarded as international in character, it is international, and not tribal, responsibility which is in question. The international liability of a Government does not apparently depend on the nationality of the particular offender concerned.

According to Oppenheim, as has been seen, a State is equally liable for the actions of aliens temporarily resident in its territory as for those its subjects.

The Amir is fanatical on the question of capitulations, and the complete subjection of foreign nationals to Afghan law; nor would it be expedient for the Government of India to make any admission which the Amir could quote as lessening his responsibility for raids committed on India by non-Afghans (*e.g.*, outlaws from India) from a base in Afghan territory.

The more closely the question is examined, the clearer it becomes that the crucial consideration is the degree of control claimed or exercised by the defendant Government over the offender, at the time the crime was committed<sup>5</sup>; and it seems that the demands of 1923 were in fact based on this consideration.

So in the case of the Spinchilla raid of December 11, 1921, although it was mentioned in the Government of India's representation that Afghan subjects were concerned, the main emphasis was laid on the fact that the ' lashkar was organised in Khost, started from Khost, and returned to Khost '.<sup>6</sup>

442. In the Landi Kotal case.—It was, as Sir J. Maffey said, because the Landi Kotal murderers 'operated from Afghan territory, and returned there for asylum', and not because they were Afghan subjects that the Afghan Government were bound to take action against them.

(Perhaps a safer form of demand in this case would have been for the payment of an indemnity, as an alternative to arrest and suitable punishment of the offenders within a specified period.)

443. The Finnis case.—This case led to very lengthy discussions as to the nature of the Afghan Government's liability, and the justification for claiming an indemnity.

It was at a comparatively late stage in these discussions that the international law on the point was consulted, with the result that the idea of an indemnity was soon after dropped.

<sup>1</sup>Note by Mr Howell (Offg. For Secy.) (16-1-1924) (A. S. XII, n. p. 10).

<sup>2</sup>Tel. 29 (3-1-1924), from Viceroy to S. of S. (A. S. XI, 243).

<sup>3</sup>Para. 599.

<sup>4</sup>Paras 453-458.

<sup>5</sup>See Mr. Malkin's minute (11-4-1924) (A. S. XIV, n. p. 8).

<sup>6</sup>Tel. 683 (16-12-1921), from For. Secy., G. of I. to Af. For. Min (A. S. VI, 710).

There were two ways in which the murderers might have been under the control of the Afghan Government, at the time of the murder—

- (a) they might, like the Landi Kotal murderers, have 'operated from Afghan territory, and returned there for asylum.'

In fact they did neither. The four Wazirs, who were the principal accused, came from Afghan territory to Spin, on the British side of the line, in connection with the settlement of disputes between Dotannis and Zilli Khel Wazirs. After they had been there six days, they agreed with a Sheranni to commit a raid in his country.<sup>1</sup> According to the available evidence, the raid had not been thought of when the offenders left Afghan territory. It was planned at a place on the British side of the line. After the murder they went to Chinai, a place through the middle of which the Durand Line was found to run.<sup>2</sup>

- (b) As Khassadars in Afghan employ ; which three of them were reported to be.<sup>3</sup>

It was on this ground that Sir N. Bolton considered that an indemnity should be claimed, but apparently largely as a matter of tactics, in order to secure certain political desiderata.<sup>4</sup>

Sir F. Johnston was also in favour of claim for an indemnity, in order to induce the Afghan Government to dispose of the offenders satisfactorily.<sup>5</sup>

The attitude of the Government of India was indicated in a telegram of January 3 :—

- 'For reasons which follow we regard Finnis' case as of special character :—
- (a) because some of the offenders were in receipt of Afghan pay as Khassadars, though not Afghan subjects ;
- (b) because it was a direct challenge to our authority, involving the life of one of our officers, against whom offenders could have had no possible grievance, and an officer moreover in high position.

For the above reasons we should like to make a stronger demand in respect of it, but we cannot, after careful examination, find sufficient ground for doing so with any hope of success. A demand for the arrest and surrender of the offenders is probably more than any Afghan Government could face, especially present régime, confronted as it already is in Southern Provinces by serious difficulties. We could not make such a demand successfully (even if Afghan Government were capable of fulfilling it), unless we were in a position, on our own part, should they seek to come across to our side of the line, to deny admittance to offenders. Since the offence took place outside Afghanistan, and the offenders are regarded as our subjects, we cannot demand arrest and trial by Afghans. Therefore, so far as the actual culprits are concerned, and subject to the recommendations mentioned later, the only alternative that remains is to place them in the same category as the Kohat gang, and demand their deportation to Turkestan. A claim for compensation may in addition be justifiable, owing to the fact of their being in the employ of the Afghan Government.'<sup>6</sup>

In January 1924 the Secretary of State's view was :—

'Strongest demands against Afghans including payment of indemnity would be justified by fact that Finnis' murderers were in Afghan pay.'<sup>7</sup>

But this was apparently before expert opinion had been taken. It was in March that the Legislative Department, Government of India, were consulted ; and their view was that only vicarious responsibility of the (b) kind attached to the Afghan Government in the matter, and then only if they had failed to exercise due diligence, either in preventing the commission of the murder, or in procuring satisfaction and reparation for the British Government by punishing the offenders, and compelling them to pay damages if required.<sup>8</sup>

<sup>1</sup>Memo. 4155 (15-12-1923), from Baln. to G. of I. (A. S. XI, 61-A).

<sup>2</sup>Memo. 483 (18-3-1924), from Res. Waz. to Wazforce (A. S. XIII, 275).

<sup>3</sup>Memo 7912 5c. (14-12-1923), from Waz. to G. of I. (A. S. XI, 57).

<sup>4</sup>Tel. 20123 (20-12-1923) and 130 (21-12-1923), from N. W. F. to G. of I. (A. S. XI, 91 and 104).

<sup>5</sup>Tel. 13 (16-12-1923), from Baln. to G. of I. (A. S. XI, 50).

<sup>6</sup>Tel. 29 (3-1-1924), from Viceroy to S. of S. (A. S. XI, 243).

<sup>7</sup>Tel. 52 (5-1-1924), from S. of S. to Viceroy (A. S. XI, 277).

<sup>8</sup>(A. S. XIII, n. p 22).

The Afghan Foreign Minister it may be mentioned had announced the disbandment of the Khassadars on November 25, or five days before the murder of Major Finnis,<sup>1</sup> but the Government of India were satisfied that effect had not been given to this disbandment locally, on the date of the murder :—

‘ Three at least of murderers when crime was committed were in Afghan employ. We consider that Wali’s contentions to the contrary are completely demolished by admissions reported in Kabul telegram 64<sup>2</sup> to Secretary of State for Foreign Affairs, and Humphrys concurs in this opinion. .... Hitherto, we perhaps too readily assumed, in our natural indignation at murder of valuable officer by criminals whose opposition had been sedulously fostered by Afghan support, that rules of international law would warrant claim for indemnity against Afghan Government—a view which appeared in precedent of Barshor and other cases dealt with in Humphrys’ note 308 .... Since however we are not in a position to prove that crime was part of Khassadars’ functions, and cannot as yet claim that Afghan Government has not exercised due diligence in matter, it is doubtful, on further examination, whether on facts Afghan Government’s responsibility is more than vicarious, *vide* Volume I, Part I, Chapter III, Oppenheim.<sup>3</sup>

The India Office then consulted the Foreign Office on the point of international law involved, and an opinion was given by Mr. Malkin in a note of 11th April 1924.<sup>4</sup> It does not seem to have been made clear to Mr. Malkin that there is no evidence to show that the criminals intended to commit this outrage when they crossed into British territory from Afghanistan, and it is in this very important particular that the case differs from that of Barshor, etc., which the Government of India were at one time inclined to regard as precedents. A later view was that the case of the attack on the Kurram Militia, on October 7, 1922, by a force which included members of the Afghan Khost Militia, was a true precedent for the present case :—

‘ Doubtfulness of admissibility of demand under general international law need not, in view of recent Kurram Militia precedent, deter us from demanding it, if we could hope to secure indemnity from Afghanistan without prejudicing our wider objects<sup>5</sup>

In May the Secretary of State for Foreign Affairs gave final orders as to the action to be taken in the case :—

‘ Proposal is approved by His Majesty’s Government that indemnity should not actually be demanded. ... You should therefore proceed..... adding such reference as you think desirable to Kurram Militia precedent. Apart from doubt as to exact status of murderers, as regards bearing of international law His Majesty’s Government do not consider that text-book rules can really be applied to conditions such as exist along Durand Line, and, so long as effective control is not exercised right up to the line on the British side, any claim to apply them strictly against Afghans obviously might have consequences inconvenient to ourselves in other cases. Emphasis should therefore be laid on position of murderers as Khassadars, and general responsibility of Afghan Government for acts of persons in its military employ, and reference to international law should be guarded.<sup>6</sup>

This telegram is of importance as—

- (a) establishing the principle of reciprocity in frontier relations with the Afghan Government ;
- (b) showing that one of the main difficulties, in insisting on a civilised standard of conduct on the part of the Afghan Government, is the fact that the Government of India are themselves not yet in a position to discharge the obligations of a civilised Government on the Indo-Afghan frontier.

**444. Two minor points.—**Two minor points may be noticed :—

- (1) The Kurram Militia case of October 7, 1922, was quoted as a precedent, but it is perhaps doubtful whether the two cases were really parallel in essentials. There is of course one point of similarity between them ; the criminals in both included individuals enlisted in Afghan military formations, but there the similarity

<sup>1</sup>Letter 280 (30-1-1924), from Af. For. Min. to Min., Kabul (A. S. XIII, 34).

<sup>2</sup>A. S. XIII, 164.

<sup>3</sup>Tel. 599 (20-3-1924) from Viceroy to S. of S. (*ibid*, 241).

<sup>4</sup>(A. S. XIV, n. p. 9).

<sup>5</sup>Tel. 811 (28-4-1924), from Viceroy to S. of S. (A. S. XIV, 100).

<sup>6</sup>Tel. 18 (5-5-1924), from S. S. F. A. to Min., Kabul (*ibid*, 192).

seems to end. Even so, the demand for redress in the Kurram case seems to have been made mainly on the ground that the culprits had operated from and returned to a base in Afghan territory, just as in the Barshor, Spinchilla, Abazai and Landi Kotal cases. It was this feature common to all these cases, which in fact formed the basis of the demands made in each of them, and which was lacking in the Finnis case. There is some reason therefore for holding that the demand for an indemnity in the Finnis case would have been without precedent.

## (2) Responsibility of a Government for the acts of its servants.

It is not easy to see why so much prominence was given in the official correspondence to this principle, which, stated more accurately, is covered by the text book rules on the subject<sup>1</sup>.

The Government of India informed the Secretary of State :—

' We think that the establishment of the principle of responsibility of both Governments, for the errors or delinquencies of their respective servants (as in Tazi Khel bombing case) on opposite side of line, would be considerably to our advantage '<sup>2</sup>

Sir F. Humphrys reported that—

' Afghan Government would in any case certainly admit abstract laws of reciprocal responsibility for servants,'

and simultaneously, that in the Finnis case they

' would most probably strongly resist claim for compensation '<sup>3</sup>

The Chief Commissioner, N.-W. F. P., entirely agreed to accept the principle,<sup>4</sup> and the Agent to the Governor-General, Baluchistan, while quite agreeing that ' the establishment and enforcement of mutual responsibility would be in every way to our advantage, as conducing to stability of border relations, pointed out that the liability would be affected by the extent to which the acts in question fell within the scope of the servant's employment.<sup>5</sup>

**445. Liability for raids from the British side of the line into Afghanistan.**—If the principle of reciprocity is accepted, the Government of India clearly cannot, in view of the demands made on Afghanistan in 1923, decline to admit responsibility for raids from the British side of the line into Afghanistan.

The same result is reached by insistence that the Amir shall not interfere with British tribesmen. The excuse offered by the Afghan Government for such interference—whether in the form of allowances, or summons to jirgas—is the necessity of self-protection against raids from the British side of the line. The excuse may not be true, but whether it is so or not, the Government of India are bound, if they insist on non-interference by the Afghan Government, to guarantee in return compensation for raids from their side of the line.

The question was discussed at some length in Kabul despatch 56 of December 4, 1923 :—

' The demands made from the Afghan Government.....imply the justice of similar demands being made in converse conditions from the Government of India. That the latter are not in fact in a position to discharge the obligations assumed by such demands (*viz*, the denial of a refuge within the British border to outlaws from Afghanistan, and the prevention of raids by them from such a refuge) is clear from the fact that they are unable to enforce the permanent exclusion of even their own outlaws, such as Mirzali, from British limits.....'

The discussions in this despatch of Afghan allowances being paid as insurances against raiding, with the comments of Local Administrations and officers are noticed elsewhere. There was a general consensus of opinion in favour of shouldering the responsibility for raids into Afghanistan from British territory, as a corollary of the demand for the cessation of these allowances,<sup>6</sup> although some scepticism was expressed as to whether such responsibility would, in fact, amount to anything appreciable.

<sup>1</sup>Para. 439.

<sup>2</sup>Tel 172 (17-1 1924) from Viceroy to S. of S. (A. S. XII, 134).

<sup>3</sup>Kabul tel. 21 (19-1-1924) (*ibid*, 164).

<sup>4</sup>Tel 58 (30-1-1924), from N.-W F., to G. of I. (*ibid*, 252).

<sup>5</sup>Ex. letter 98 (3-2-1924), from Baln. to G. of I. (*ibid*, 285).

<sup>6</sup>Para. 478.

Finally the Government of India stated the conclusion that—

' With the insistence on non-interference in our sphere goes necessarily the acceptance of responsibility for offences committed from it in Afghanistan '<sup>1</sup>

**446. Raids into Afghanistan from the British side of the line. The Shinwari case.**—When the question arose in connection with the Landi Kotal murder, Sir J. Maffey said ' I do not think that in actual fact the Amir would ever ask Government to obtain retribution from Afridis.'<sup>2</sup>

Sir F. Humphrys in reply quoted an instance in which retribution had been demanded, in August 1922, for an offence committed by Shinwaris.<sup>3</sup> This is the first instance of the kind during Amanullah's reign.

**447. Turi raiding.**—Complaints were received from time to time from the Governor of the Southern Province against the Turis, on account of offences committed by them against the Jajis ; and these cases were reserved for decision by a Joint Commission.

**448. The Macha Madda Khels.**—In April 1924 the Chief Commissioner referred for orders the case of the Macha Madda Khels, regarding whom a complaint had been received from the Governor of the Southern Province. Sir N. Bolton remarked :—

' An important question of policy is involved as to whether we should accept responsibility for this tribe which resides within our sphere of influence, but is only very slightly amenable to our control.'<sup>4</sup>

It was not until November that the Government of India replied, to the effect that the vagueness of the complaint, together with recent events in Khost, made it unnecessary to send a reply, but that the important question of policy involved was still under consideration.<sup>5</sup>

Sir D. Bray however wrote a significant minute on this case :—

' The question of policy has been worrying us for some time, and forms the subject of some important remarks by Colonel Humphrys in his Treaty Despatch..... My own views are gradually crystallising thus —We shall have to make up our minds as to what our essential demands must be in a case like this, and cases like that of the Kohat murderers. Having made up our minds, we simply must face the necessity for reciprocity. We must not allow ourselves to be scared unduly by the prospect of our obligations. After all.....the Amir would only call upon us in big cases, for such calls would deal a blow at his influence. In such big cases we could, and must, make a big effort. If we decline responsibility for tribesmen on our side of the Durand Line, then we cannot deny the Amir the right to interfere with them himself.'<sup>6</sup>

**449. The Afghan outlaws in Peshawar.**—In July 1924, Sir N. Bolton telegraphed :—

' Recent raids committed at Balabagh, Surkh Rud, and other places near Jalalabad ..... were participated in by certain Afghan outlaws, now encamped in Peshawar. .... So far as I know, Afghan Government has not asked us to take any action against them, but it might be desirable to arrest leaders in order to prevent further raids from base in British territory.'

The Government of India replied :—

' If there is any likelihood of further raids from base in British territory, steps must of course be taken forthwith to prevent it, by moving party from the frontier, or demanding security, or otherwise.'<sup>7</sup>

Nine ring leaders of this settlement were then arrested, and under 36 F. C. R. confined to the Mardan sub-division, as they were unable to give the necessary security.<sup>8</sup>

**450. The Zakka Khel Raids of 1926.**—In November and December 1926 the Zakka Khel carried out two serious raids in the neighbourhood of Dakka ; and the pro-Afghan Zakka Khel—

<sup>1</sup>Memo 412 (1) (F) (26-10-1925), from G. of I., to N.-W. F. and Balm (F. 240-F., 1).

<sup>2</sup>Memo 385 (28-4-1923), from N.-W. F., to G. of I. (F. 517-F., 87).

<sup>3</sup>Kabul memos 176 (15-5-1923) (*ibid* 137) and 143 (29-8-1922) (F. 356-F., 1923, 1).

<sup>4</sup>Letter 5249 (22-4-1924), from N.-W. F., to G. of I. (A. S. XIV, 109).

<sup>5</sup>Memo 1-F (10-11-1924), from G. of I., to N.-W. F. (A. S. XVI, 291).

<sup>6</sup>Minute by For. Secy. (6-11-1924) (*ibid*, n. p. 21).

<sup>7</sup>Tel 1851 (4-7-1924), from N.-W. F., to G. of I. (A. S. XV, 211).

<sup>8</sup>Tel 1246 (6-8-1924), from G. of I., to N.-W. F. (*ibid*, 216).

<sup>9</sup>Memo. 102 (10-1-1925), from N.-W. F., to G. of I. (A. S. XVII, 99).

' Sent off a letter to His Majesty the King of Afghanistan, to say that the reason for their displeasure, and hence for these raids, was twofold :—

- (a) the withholding of the old Afghan allowances,
- (b) the failure of His Majesty to grant adequate rewards for their services against the Mangals'.<sup>1</sup>

An Afghan official then visited the Zakka Khels, coming well on to the British side of the line for the purpose, and, with the secret support of the Frontier authorities, recovered much of the loot.<sup>2</sup> The Amir also interviewed the Afridis in this connection, but both Sir F. Humphrys and Sir N. Bolton considered that no protest should be made.<sup>3</sup>

The Government of India agreed, but considered that :—

' It would be sound policy gradually, as occasion offers, to assume greater responsibility for acts of aggression committed by those tribesmen in Afghanistan, and .... it would not always be necessary or even desirable, to wait for a claim from the Afghan Government, before setting to work to secure reparation..... The Government of India do not desire any overt or spectacular change of policy. Still less do they wish to bring on an Afridi crisis. All that they have in mind is a trifling change of direction which, as time goes on, may, if favourable opportunities present themselves, and are taken, bring about a different state of affairs on the Indo-Afghan frontier from that which now exists.'<sup>4</sup>

These Zakka Khel raids are significant in more ways than one :—

- (1) They sufficiently answer the contention that the connection between Afghan allowances to our tribes and raiding by the latter has no foundation in fact.<sup>5</sup>
- (2) The 'Treaty' despatch 56 of December 4, 1923 had suggested that interference by the Amir with British tribes was a breach of the Kabul Treaty of 1921, and in commenting on that despatch Sir N. Bolton had said :—

' The formal demands should I think comprise complete non-interference and respect for our sovereign rights on our side of the Durand Line.'<sup>6</sup>

When, however, such interference actually occurred, he not only was in favour of conniving at it but also assisted it ; and the fact shows how difficult it would be to make and justify a demand of the kind proposed at the next Treaty negotiations.

**451. Should raids into foreign territory be made punishable ?**—In August 1927 the Afghan Foreign Minister :—

' in referring to Jaji Turi situation displayed readiness to accept proposition that it should be made known by both Governments that, with effect from date to be announced later, perpetrators of incursion, both into Afghanistan and into India, should be punished by their respective Governments, and that no plea of retaliation should be entertained.'<sup>7</sup>

If this proposal were accepted, the question of the extent to which our engagements with the tribes permit of their punishment for offences committed in Afghanistan is one which would require detailed examination.

Mr. Pears wrote :—

' It might be of interest to the Afghan Government to learn that in our recent agreement with the Utmanzai Wazirs of the Tochi, about the Razmak road, the following words were specially inserted by me :—

' In view of the Treaty concluded with His Majesty the Amir of Afghanistan, you will be expected to refrain from committing offences in Afghan territory....'

I inserted these words, not so much because of the frequency or gravity of such raids, (since they are actually few and unimportant), as in order to show that Government maintained its rights to regulate the conduct of the Wazir tribes *vis-à-vis* a friendly State.<sup>8</sup>

<sup>1</sup>Letter 2481 (16-12-1926), from N.-W. F., to G. of I. (F. 339-F., 1926, 1).

<sup>2</sup>Memo. 91-P.C. 510-P.S. (8-1-1927), from N.-W. F., to G. of I. (*ibid*, 5).

<sup>3</sup>Kabul despatch 21 (21-2-1927) and Ex. letter 592 (17-4-1927), from N.-W. F. (*ibid*, 11 & 13).

<sup>4</sup>Letter 339-F. (14-4-1927), from G. of I., to N.-W. F. (*ibid*, 14).

<sup>5</sup>See para. 478

<sup>6</sup>Letter 402-229-P.S. (4-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 13).

<sup>7</sup>Kabul tel. 102 (14-8-1927) (A. S. XXII, 99).

<sup>8</sup>Memo. 15942 (11-1-1924), from Waz., to G. of I. (A. S. XII, 102).

In connection with the Zakka Khel raids of November and December 1926, Sir N. Bolton wrote :—

' Except in the case of Waziristan I believe that our agreements with the tribes do not provide for good behaviour towards Afghanistan. The formal agreement with the Afridis in 1898, published in Part I of Aitchison's Treaties (Volume XI, page 99), contains the following :—

' Sixth.....but they (*i.e.*, the allowances) are subject to withdrawal for misbehaviour in the Pass, in British India, or against the friends or allies of Government.' This perhaps may be taken to imply good behaviour towards Afghanistan as well. There is however no mention of such a condition in the agreement with the Zakka Khel, concluded after the expedition of 1908.....and the subject was not mentioned in the settlement with the Zakka Khel made in March 1922..... I have little doubt that, if we now claim to regulate the conduct of the Afridis, except in relation to ourselves, they would deny our right to interfere, and would reassert their claim to independence. In the case of the Afridis, therefore, it will be as well to defer open action to secure reparation for raids into Afghanistan, until Government are prepared for a rupture with the tribe.'<sup>1</sup>

#### 452. Principles and rates of compensation.

1. **Regular troops.**—Compensation is not claimed for casualties to regular troops.

Precedent : The Barshor raid.<sup>2</sup>

2. **Government arms and equipment.**—The article lost, or one similar to it is claimed, or, in default of these, a fixed sum per article.<sup>3</sup>

Precedents : Barshor, Spinchilla, and Kurram raids.<sup>4</sup>

3. '**Tribal sepoys**' and **private persons.**—Compensation is claimable for casualties to these.

Precedents : 'Tribal sepoy' :—Kurram case.<sup>5</sup>

Private persons :—Tazi Khel and Abazai cases.<sup>6</sup>

*Note.*—Compensation has been paid for casualties caused in error by British military action to Afghan subjects on the Indian side of the Durand Line.

Precedents :

Sheikh Pir in the Tazi Khel case (1923) and two Tokhi Ghilzais near Toba (1921).<sup>7</sup>

4. **Private property.**—Compensation is claimed for loss of private property.

Precedents : Tazi Khel, Spinchilla, and Abazai cases.<sup>8</sup>

But such a claim is not expedient in the case of property belonging to Hazaras, owing to Afghan sensitiveness on the point ;

Precedent : Duzdap raid—<sup>9</sup>

and if the loss is caused in the territory of a third Power, it is for that Power to put forward the claim.

Precedent : Duzdap raid.<sup>10</sup>

<sup>1</sup>Ex. letter 592 (17-3-1927), from N.-W. F., to G. of I. (A. S. XXI, 106).

<sup>2</sup>See tel. 1096 (3-9-1923), from G. of I. to Min., Kabul (A. S. VIII, 227).

<sup>3</sup>Kabul tel. 141 (19-9-1923) (A. S. VIII, 283).

<sup>4</sup>Ibid.

<sup>5</sup>Tel. 1096 (3-9-1923), from G. of I. to Min., Kabul (A. S. VIII, 227) and Kabul tel. 25 (21-2-1924) (A. S. XII, 175).

<sup>6</sup>Kabul memo. 232 (30-6-1923), (A. S. VIII, 37) and Kabul tel. 141 (19-9-1923) (*ibid*, 283).

<sup>7</sup>Kabul memo. 312 (27-5-1924) and memo. 503-F. (3-9-1924), from G. of I. to C. d'A., Kabul (F. 503-F., 12-14).

<sup>8</sup>Kabul memo. 232 (30-6-1923) (A. S. VIII, 37) and Kabul tel. 141 (19-9-1923) (A. S. VIII, 283).

<sup>9</sup>Kabul tel. 94 (24-4-1924) (A. S. XIV, 108-A).

<sup>10</sup>*Ibid*; and see Kabul despatch 142 (25-11-1924) (A. S. XVII, 29).

5. **Rates of compensation.**—The following rates of compensation have been followed in international cases :—

	Rs.
Man killed .. .. .. ..	3,500 (K.).
Man, permanently disabled, two limbs .. ..	3,500 (K.).
Man, loss of one limb <sup>1</sup> .. ..	1,750 (K.).
'Tribal sepoys' at same rates. <sup>2</sup>	
Woman at half rates throughout <sup>3</sup> .	
Man severely wounded .. .. ..	500 (K.).
One man and two women slightly wounded—for all three .. .. ..	500 (K.) <sup>4</sup> .
One man seriously wounded treated in hospital till recovery and paid .. ..	150 (Br.) <sup>5</sup>
Camel .. .. ..	300 (K.)
Cow or bullock .. .. ..	35 (K.)
Sheep or goat .. .. ..	18 (K.) <sup>6</sup>
Horse .. .. ..	200 (K.)
Donkey .. .. ..	100 (K.) <sup>7</sup> .
Cash equivalent (for compensation purposes) of British machine gun, or service rifle ..	800 (Br.) <sup>8</sup> .

The indemnity paid in the Piparno case forms no precedent, as it included damages for an affront to the Italian Government<sup>9</sup>.

In the case of Major Finnis, £5,000 was suggested as the minimum which could be claimed<sup>10</sup>.

453. **Liability of Afghans to Barampta.**—‘Barampta’, or the wholesale arrest under Section 21, Frontier Crimes Regulation, of the fellow tribesmen of an offender, is legally enforceable under that Regulation against Afghans,<sup>11</sup> and had been regularly so enforced before the conclusion of the Kabul Treaty of November 1921.

454. **Baluchistan cases.**—Thus the outbreak of Afghan raiding on the Baluchistan border in April 1920 was dealt with satisfactorily by this means;<sup>12</sup> and after the Barshor raid of November 1921, a number of Afghan subjects were detained, ‘as hostages for the return of the prisoners and the property of the British Government’<sup>13</sup>, under the same section. The Treaty had actually been signed at the date of this *barampta*, but the British Minister had not yet reached Kabul, nor had diplomatic relations really been established. It is worth noticing that the *détenus* were released as soon as the Afghan Government gave the necessary assurances, and offered an official expression of regret for the occurrence.<sup>14</sup>

In February 1922 the District Magistrate, Zhob, issued warrants for the arrest of Suleman Khels (Afghan subjects) to various authorities in India, including one to the Commissioner of Police, Calcutta. Twenty-nine were arrested in Calcutta.<sup>15</sup>

Other Suleman Khels were arrested elsewhere, and of those arrested in Dera Ismail Khan, thirteen died of pneumonia<sup>16</sup> while in detention. The Afghan

<sup>1</sup>Kabul memo 232 (30-6-1923) (A. S. VIII, 37) and memo. 503-F (3-9-1924), from G. of I. to C. d'A., Kabul, (F. 503-F., 14).

<sup>2</sup>Tel. 1096 (3-9-1923), from G. of I. to Min., Kabul (A. S. VIII, 227).

The question of the liability of Government to pay blood and wound money for casualties to Khassadars was discussed in 1924 (F. 197-F., 1923). It was decided that Government was not liable; but that such compensation was claimable, as in cases when the victim is not a Khassadar, from those responsible for the casualty (and see para. 458).

<sup>3</sup>Kabul memo. 232 (30-6-1923) (A. S. VIII, 37).

<sup>4</sup>Ibid.

<sup>5</sup>Memo. 2676 (6-7-1923), from P. A., Khyber, to N. W. F. (A. S. VIII, 85).

<sup>6</sup>Kabul memo. 232 (30-6-1923) (*ibid*, 37).

<sup>7</sup>Memo. 503-F. (29-10-1924), from G. of I. to C. d'A., Kabul (F. 503-F., 1922, 18).

<sup>8</sup>Tel. 1096 (3-9-1923), from G. of I. to Min., Kabul (A. S. VIII, 227).

<sup>9</sup>Para. 341.

<sup>10</sup>Kabul tel. 333 (16-12-1923) (A. S. XI, 44).

<sup>11</sup>Noting in the Leg. Deptt. (15-9-1923) (F. 570-F., 1923, n pp. 16-18).

<sup>12</sup>Para. 83.

<sup>13</sup>Letter 137-P.O. (29-11-1921), from Sir H. Dobbs to Af. For. Min. (A. S. VI, 705).

<sup>14</sup>Tel. 127 (30-11-1921), from Bain to G. of I. (*ibid*, 644).

<sup>15</sup>(F. 162-F., 1922-3, 74).

<sup>16</sup>Memo. 1218 (6-5-1922), from Bain to G. of I. (*ibid*, 81).

Consul General made representations in the matter, and the Government of India then ordered that no arrest under Section 21 of the Frontier Crimes Regulation should be made, without their previous sanction, of any tribe which had been recognised as being of Afghan nationality.<sup>1</sup>

**455. The orders issued by the Government of India.**—The general question was then examined, and the following orders were issued :—

' 1. The basic position is that Afghan subjects, while in India, have no ex-territorial rights, and are subject to the ordinary law of British India, including the Frontier Crimes Regulation.

2 It is not however always expedient to set all the machinery of the law in motion against Afghan subjects without the previous knowledge and consent of the Government of India, who may require to refer to the British Minister at Kabul.

3 Offences committed by Afghan subjects on the India side of the Durand Line fall into three categories —

- (a) raids and other offences committed by Afghan subjects, operating from a base in Afghan territory ;
- (b) offences committed by Afghan subjects, of the class generically known as Powindahs, temporarily residing in India ;
- (c) other offences

4. Nothing in these rules affects the authority of frontier officers to take at their own discretion any measures against raiders, or persons reasonably believed to be raiders, operating from a base in Afghanistan, while the raid is actually in progress, which would be taken against raiders from any other quarter

5. All such raids shall immediately be reported to the Government of India by telegram.

6. Save in circumstances where delay would render effective action impossible, action under Section 21, Frontier Crimes Regulation ; that is, the enforcement of collective tribal responsibility by *barampta* against Afghan subjects operating from a base in Afghanistan shall not be taken on account of such raids without the previous sanction of the Government of India, so that diplomatic representation may be made at Kabul, if necessary

7 Action under Section 21 of the Frontier Crimes Regulation, or any other Section of the Frontier Crimes Regulation, may be freely taken against Afghan subjects such as the Suleman Khel, Nasir, Kharotis, etc., generically classed as Powindahs, during the period of their residence in India, with the sole proviso that warrants under Section 21, Frontier Crimes Regulation, for service outside the limits of the Local Administration under which the issuing Magistrate is serving, shall not be issued without the previous sanction of the Government of India.

8. Of these the most important are offences committed by (a) Kandaharis, (b) Afghan Achakzai, in Baluchistan.

Action under Section 21, Frontier Crimes Regulation, shall not be taken against Kandaharis without the previous sanction of the Government of India

Ordinary offences by Afghan Achakzai may be dealt with as if the offenders were British Achakzai. Offences of a serious character, calling for punitive measures on an extended scale likely to attract the attention of the Afghan Government, should be reported for orders to the Government of India.<sup>2</sup>

**456. The Sangu Khel case, 1923.**—On April 11, 1923, three days after the Landi Kotal murders, the Chief Commissioner, N. W. F. P. reported that he was arresting Sangu Khel Shinwaris, fellow tribesmen of these murderers, in Peshawar ; and on April 16, suggested that the moment was suitable for threatening a breach with Afghanistan, as there were a large number of Afghan subjects in India.<sup>3</sup>

On this Sir F. Humphrys asked that no general *barampta* of Afghan subjects should be made without reference to him.<sup>4</sup> A protest against the *barampta* of the Sangu Khels was made by the Afghan Government.<sup>5</sup>

**457. Discussions.**—The whole question was now reconsidered, and Sir F. Humphrys pointed out that such measures, taken by a local officer to put pressure on the Afghan Government, were quite incompatible with diplomatic

<sup>1</sup>Memo. 781 (29-6-1922), from G of I. to N. W. F. and Baln. (F 162-F, 1922-3, 89).

<sup>2</sup>Letter 151-162-F. (24-10-1922), from G. of I to Baln. and N W F. (F 570-F., 1923, 3).

<sup>3</sup>Tel 340 (16-4-1923), from N W. F. to G of I. (*ibid*, 7-A).

<sup>4</sup>Kabul tel 120 (19-4-1923) (*ibid*, 8-A)

<sup>5</sup>Letter 1027 (7-6-1923), from Af. For. Min., to Min, Kabul (*ibid*, 22).

proceedings at Kabul.<sup>1</sup> Mr. Pears seems to have been in agreement with this view when he remarked :—

‘ As a point of international usage it is very doubtful whether the system of *barampta* can survive much longer as between two civilised States, and this means that the settlement of tribal raids by direct local methods will have to give way to international methods.’<sup>2</sup>

Mr. Pears here evidently assumes the validity of the point which Sir F. Humphrys wished to make, *viz.*, that whether local or diplomatic action is taken in any particular case, they cannot both be taken simultaneously and independently of each other. The Government of India in January 1924 remarked :—

‘ The Government of India do not admit that their liberty of action with regard to *barampta* of Afghan subjects is in any way circumscribed, except by considerations of expediency ;’<sup>3</sup>

but after considerable discussion issued the following instructions :—

#### 458. ‘ Principles to be observed :—

The Government of India have recently re-examined the question of the extent of the propriety of the employment of *barampta* against Afghan subjects, and, though they are not satisfied that the rules framed in 1922 require formal revision, they have decided that the following principles should be observed in interpreting them, *viz.* :—

No *barampta* of Afghan subjects should be instituted except for the purpose of securing compensation for damage done, and then only if there is no intention of making diplomatic representations at Kabul.

*Barampta* should never be resorted to as a means of bringing pressure to bear on the Afghan Government.

In the case of Khassadars the same principles should be applied in employing *barampta*, as in instances where the victim is not a Khassadar.<sup>4</sup>

#### 459. Joint proceedings of British and Afghan Frontier officials.

**Joint Commissions.**—There had of course been several instances of joint Commissions in the time of previous Amirs, notably for the demarcation of the Durand Line and the Kurram Border Disputes Commissions. The latter were not very satisfactory, since, as Mr. Pears says, any small balance in favour of our subjects ‘ could not be extracted from the Amir.’

In spite of this Mr. Pears is a firm believer in the system :—

‘ I would urge most strongly that we should openly accept our responsibility for our tribes *vis-à-vis* the Afghans, and should insist as much as possible on the necessity of settling these international cases by means of Joint Commissions . . . . ‘ Joint Commissions appear to be inevitable, and our object must be to make them as effective and speedy as possible ’<sup>5</sup>

During Amanullah’s reign several Joint Commissions have taken place, and more have been proposed. The Kurram Khost Commission, which was to have been held in November 1923, was postponed on account of the Watts murder, and since then has been deferred for other reasons.<sup>6</sup>

The most striking proposal for a Joint Commission came from the Afghan side when, after the Treaty of Rawalpindi, the Amir proposed that the Chief Commissioner and S. Nadir Khan should tour the Frontier, to settle the whole Frontier problem.<sup>7</sup>

The Joint Commission on the Tazi Khel case<sup>8</sup> may be called a success, but in this instance, as the facts were all in favour of the Afghan Government, the good faith of their representative was not highly tested. The Commission on the Kurram case<sup>9</sup> showed the Afghan representative in so unpleasant a light that the Secretary of State commented :—

‘ Whereas joint enquiry of this kind may be most valuable, if properly conducted, in removing suspicion and improving relations, attitude of Governor in present case not only makes us doubtful of Afghan desire for good neighbourly relations, but will discourage us from seeking this means of settlement in future.’<sup>10</sup>

<sup>1</sup>Kabul tel. 66 (26-5-1923) (F. 570-F., 1923, 16).

<sup>2</sup>Memo. 15942 (11-1-1924), from Waz. to G. of I. (A. S. XII, 102).

<sup>3</sup>Ex-letter 561 (9-1-1924), from G. of I. to N.-W. F. (*ibid.* 31).

<sup>4</sup>Memo. 197 (31-5-1924), from G. of I. to Waz (F. 197-F., 14).

<sup>5</sup>Memo. 15942-97-G. (11-1-1924), from Waz. to G. of I. (A. S. XII, 102).

<sup>6</sup>Para. 320.

<sup>7</sup>Para. 85.

<sup>8</sup>Para. 237.

<sup>9</sup>Para. 256.

<sup>10</sup>Tel. 4436 (14-12-1923), from S. of S. to Viceroy (A. S. XI, 25)

The enquiry into the Landi Khana firing incident of April 24, 1923 showed a similar attitude on the part of the Afghan delegate, and was quoted by Sir F. Humphrys as 'affording His Majesty's Government additional grounds for suspecting the impartiality of Afghan Commissioners in such enquiries.'<sup>1</sup>

The proceedings of the Peiwar Joint Commission,<sup>2</sup> which opened in December 1926, were marked by childish obstructiveness on the part of the Afghans, and the report eventually signed failed to cover all the points in dispute.

A Joint Commission for the determination of the Arnawai boundary has been proposed, but has not yet met.

From a review of the Joint Commissions which have been held during Amanullah's reign, it seems that the attitude of the Afghan delegates is generally one of 'win, tie or wrangle', and that, until this attitude is changed, there is little prospect of such Commissions proving satisfactory as a means of settlement in 'international' cases.

'Joint Commissions..... can only be useful.....if the Afghan representatives approach them with an honest desire to arrive at the truth, and in an unprejudiced frame of mind.'<sup>3</sup>

But the fault is as much that of the Afghan Government as of their individual Commissioners, who would probably suffer professionally for an honest verdict given against their country. In certain cases, where the action of the Afghan Government is directly impugned, it would appear to be useless to hold a Joint Commission for, as Sir F. Humphrys pointed out in regard to the proposal for a Joint Commission in the Finnis case, when the terms of reference were such as 'would virtually put Amir on trial', the 'only conceivable report' by an Afghan Commissioner would be one of acquittal.<sup>4</sup>

For future Commissions the Afghan Government seems likely to insist that the British Commissioner should bear credentials purporting, at any rate, to be issued by His Majesty's Government, as distinguished from the Government of India.<sup>5</sup>

**460. Other Joint proceedings.**—Apart from regular Commissions, there have been other joint proceedings of a less formal kind, such as the enquiry held in the Kurram in November 1923, into the death of an Afghan sepoy, in which Afghan officials participated,<sup>6</sup> and the joint jirgas held by the Chief Commissioner, N. W. F. P. and Political Agent, Khyber, with the Governor of the Eastern Province on December 8 and 15, 1923, respectively, in connection with the disposal of the Kohat gang; but the occasion was a very special one, and is not likely to be quoted as a precedent for the future. The tone of the proceedings on December 8 was not promising :—

'The whole attitude of the Governor, and of such members of the Afghan jirga as spoke, gives me no reason to hope for any effective co-operation ;'<sup>7</sup>

but an improvement was noted on December 15 :—

'The result is a considerable advance on last meeting, and seems encouraging '<sup>8</sup>

The agreement of S. Muhammad Wali to receive Afridi representatives and a political officer in the Afghan camp for liaison purposes<sup>9</sup> was quite unprecedented; while he finally went so far, under considerable pressure, as to accept the proposal that the Military Attaché, Kabul, should join the Afghan camp, together with a British civil officer and a party of armed tribesmen.<sup>10</sup>

Eventually only M. Nawaz Khan, Political Tahsildar, and a party of tribesmen, 53 in all, joined the Afghan camp,<sup>11</sup> but the fact that they were allowed to do so was a striking illustration of co-operation in Frontier matters between the two Governments.

<sup>1</sup>Kabul memo. 33 (26-1-1924) (A. S XII, 246).

<sup>2</sup>Para. 321.

<sup>3</sup>Kabul memo. 30 (26-1-1924) (A. S XII, 245).

<sup>4</sup>Kabul tel. 333 (16-12-1923) (A. S XI, 44).

<sup>5</sup>Cf., the Peiwar Commission (para 700).

<sup>6</sup>Ex-Letter 10051-52-P. C. (12-11-1923), from N.-W. F., to G. of I. (A. S. IX, 236).

<sup>7</sup>Tel. 9123 (9-12-1923), from N. W. F. to G. of I. (A. S. X, 77).

<sup>8</sup>Tel. 16123 (16-12-1923), from N. W. F. to G. of I. (A. S. XI, 45).

<sup>9</sup>Kabul tel. 195 (23-12-1923) (*ibid.*, 137).

<sup>10</sup>Kabul tel. 205 (30-12-1923) (*ibid.*, 211).

<sup>11</sup>Tel. 18 (10-1-1924), from N. W. F. to G. of I. (A. S. XII, 36).

**461. Exchange of visits between British and Afghan officers.**—This was a favourite project of Sir H. Dobbs :—

' Misunderstandings that have arisen regarding tribal affairs..... It has occurred to me several times that these misunderstandings might be entirely avoided, if the two Governments made a regular practice of an interchange of visits between their officials. For instance, perhaps one year the Foreign Secretary of the Government of India might go up to Kabul, stay there a fortnight, and talk over things, and the second year the Foreign Minister of the Afghan Government might go to Simla for a fortnight for the same purpose. Further, perhaps one year the Agent to the Governor General, Baluchistan, might go to Kandahar, stay a fortnight there, and talk over things with the Governor of Kandahar, and the next year the Governor of Kandahar might come down to Quetta, stay a fortnight there, and talk over things with the Agent to the Governor General. Or the Political Agent, Kurram, might go and stay a fortnight with the Governor of Khost one year '<sup>1</sup>.....

The Secretary of State commented :—

' On administrative grounds it seems to me important that visits should be restricted to formal occasions, at stated intervals, and to duly authorised officers. The probable result of a system of informal meetings between subordinate officials is that embarrassing commitments may be contracted, without considered judgment of the Government of India or the Chief Commissioner '<sup>2</sup>

The Government of India telegraphing to Sir H. Dobbs said :—

' Your proposal regarding exchange of visits is understood to be of the restricted character approved by the Secretary of State..... Unless you see reasons to the contrary, it would be better to avoid interchange of visits between Political Agent Kurram and Governor of Khost, and generally to restrict visits in all, or at any rate on either side, to say one a year.'<sup>3</sup>

Of the draft Treaties<sup>4</sup> the 'Exclusive' is the only one which contains a provision on the subject (Clause XIII), but as the periodical exchange of views between high officials, as was first proposed, would clearly have been unnecessary after the establishment of the legation at Kabul, and embarrassing to the British Minister, the suggestion was now restricted to the interchange of visits by Frontier officers only.<sup>5</sup>

It seems doubtful, in the light of further experience of the Afghan character, whether it would serve any useful purpose to revive this idea. One serious objection to it is to be found in the grave suspicion with which an Afghan official, who associates too closely with British officers, would be likely to be regarded in Kabul.

<sup>1</sup> Progs. of the 10th Meeting, Mussoorie Conference.

<sup>2</sup> Tel 1932 (11-2-1921) from S of S to Viceroy (A. S. IV, 822).

<sup>3</sup> Tel. 195 (12-2-1921), from G. of I. to Br Rep., Kabul (*ibid*, 824).

<sup>4</sup> Para. 142.

<sup>5</sup> (A. S. VI, 174-A).

## CHAPTER XXIV.

### AFGHAN INTRIGUES WITH 'BRITISH' TRIBES.

462. **The motives for the policy of intrigue.**—Just as Afghanistan is regarded by the British Government as the 'glacis of India'<sup>1</sup>, so the tribal belt is looked upon by the Afghan Government as the 'glacis' of Afghanistan; or, as Sir John Maffey expressed it, the 'prickly hedge' which protects her from British aggression. But this belt is not merely, in Afghan eyes, a passive obstacle to such aggression, it also contains the best fighting material at the disposal of the Amir in the event of hostilities with India. It is not surprising therefore that for the last thirty years it has been an axiom of Afghan frontier policy that Afghan influence must be maintained in this belt, by fair means or foul.

Nor is it really surprising, although the fact is frequently quoted by frontier officers as evidence of the present Amir's bad faith, that these intrigues were deliberately developed after the Third Afghan War. For, in the first place, the tribes had, from the Amir's standpoint, saved the situation and it would clearly have been contrary to all considerations of both decency and policy that he should, in the face of what they had done, sever all connection with them the moment the War was over.<sup>2</sup> Secondly, there are several indications that the Amir genuinely doubted whether the war was really closed by the Treaty of Rawalpindi.

To any one so constitutionally suspicious as the Afghan the 'Treaty in two chapters'<sup>3</sup> must have appeared to be a deep laid scheme, disquising perhaps an intention of renewing hostilities when British war weariness had abated, and other conditions were more favourable for the purpose. For if the British Government had no sinister designs, the Afghan would argue, why did they not make peace at once and have done with it? Why this very lenient 'first chapter', and then a pause of six months? Perhaps the second chapter would be, not the 'friendship' conditionally offered, but war. Consequently all through 'the six months probation' Afghan intrigues in the tribal belt were intensified, and the tribes were told to keep themselves in readiness for a renewal of the war.

'The border has been filled with reports that the peace made between Great Britain and Afghanistan was only a six months' truce. . . . . By such reports unrest has been kept up among the tribe-men on the British side of the frontier.'<sup>4</sup>

Upon the conclusion of the Kabul Treaty there was, as has been seen, a definite slackening of these intrigues. These however were renewed early in 1923, when the construction of the Khyber Railway and the determination of the British advance in Waziristan, shown especially by air operations on an unprecedented scale, aroused the Amir's apprehensions that the Government of India had been taking advantage of his pre-occupations on the Russian frontier to destroy the 'prickly hedge' once for all.

The reason for the Afghan policy of intrigue is thus easily intelligible, and was frankly stated by one of the Afghan delegates to the Mussoorie Conference to be one of 'insurance against war.'

The justification given at a later date by S. Muhammad Wali for the payment of Afghan allowances, that they were blackmail paid for abstention from raiding<sup>5</sup> by the recipients, although it cannot be brushed aside as entirely fictitious<sup>6</sup>, only stated a practical difficulty in the way of discontinuing these allowances; it did not give the historical reason for their origin.

The Amir had no reason to doubt the efficacy of the allowances in achieving the end which he had in view :—

'We must face the fact squarely that the Amir has it in his power to stir up the frontier tribes whenever he likes, and by the expenditure of a few hundred rupees among them, and at the cost of a modicum of trouble to himself, to land us in an expenditure of crores and an infinity of trouble.'<sup>7</sup>

<sup>1</sup> Progs of the 3rd Meeting Rawalpindi Conference (Progs Oct 1920, 791).

<sup>2</sup> Para 149

<sup>3</sup> Para. 54

<sup>4</sup> Kharita No. 2. P. O. A. (17-1-1920) from Viceroy to Amir (Progs Oct. 1920, 343).

<sup>5</sup> Para 477

<sup>6</sup> Para. 478.

<sup>7</sup> Minute by Sir D. Bray (22-4-1921) (A. S. V. n p. 57).

The official discussions of the subject do not always appreciate the possibility that the purity of British motives, so obvious to ourselves, may not be equally patent to the Amir :—

' We must not read history through British spectacles if we want to know how Afghanistan reads it..... we are so convinced of our own present goodwill.....that we forget that the marks left by our past may be indelible to others.'<sup>1</sup>

**463. Three manifestations of the policy.**—The most signal manifestations of this policy of intrigue have been :—

- (i) the payment of allowances to tribesmen domiciled within the British border ;
- (ii) the retention in Afghan pay of ' Khassadars ', or tribal levies, whose homes are on the British side of the line, who spend most of their time there, and consist almost entirely of persons hostile to the administration ;
- (iii) the summoning of tribesmen from beyond the border to assemblages held under the presidency of the Amir or his officials.<sup>2</sup>

**464. The connection between these three practices.**—It is often on the occasion of a jirga that allowances are distributed<sup>3</sup> ; British reports of the payment of such allowances are explained as misrepresenting merely the expenses for food and leave-taking customarily paid to a jirga on its dismissal,<sup>4</sup> and when Khassadars are allowed to serve in their own homes, or, in other words, required to do virtually nothing at all except draw their pay, their status clearly approximates, for all practical purposes, to that of allowance-holders.

' There is no very marked difference between Afghan Khassadars and Afghan allowance-holders.'<sup>5</sup>

' It seems doubtful however whether the ' Khassadars ' have in fact any duties at all. If not, pay must be only another form of the allowances already considered, given with the same object and objectionable on the same grounds.'<sup>6</sup>

**465. The distinctions between them.**—While however these manifestations have a common origin and tend in practice to merge in one another, there are some important differences to be noticed in the circumstances of their appearance, and consequently in the attitude adopted by His Majesty's Government towards them.

Jirgas had been held and allowances paid by Amir Habibullah Khan, and were to some extent tacitly condoned by the simultaneous continuance to him of the British subsidy. There was however no such embarrassing history attaching to the employment of the Khassadars, who made their first appearance in March 1923. Accordingly in the Anglo-Afghan crisis of that year, while the disbandment of the Khassadars was stated to be a condition precedent to the passage of the arms, no specific demand was made in regard to jirgas and allowances.<sup>7</sup>

**466. Afghan allowances to ' British ' Frontier tribes. History of the case.**

**(a) Before the accession of the present Amir.**—

1. Successive Rulers in Kabul have cherished the ambition of bringing under their sway the independent tribes on the confines of Afghanistan, and it may be taken for granted that from very early times the reigning Amir has on occasion found it expedient to propitiate or cajole the leading men and mullas amongst these tribes by gifts of money.

2. By<sup>8</sup> 1880, however, the control of these tribes was an all-important factor in the Frontier policy of the Government of India, and one of the conditions of British recognition of Abdur Rahman, as Amir of Kabul, was the understanding that the control of all relations with the Khyber tribes should be in British hands. But the relations of Afghanistan and the Government of India respectively with the tribes generally remained more or less undefined and a source of dispute ; so that in 1893 advantage was taken of Sir Mortimer Durand's Mission to Kabul to conclude an agreement<sup>9</sup> with Abdur Rahman, by which the Amir was precluded from exercising any interference with the independent tribes on India's side of a demarcated boundary known as the Durand Line.

<sup>1</sup>N<sup>o</sup>. 44 by Sir D. Bray (21-9-1925) (A. S. XIX n pp. 4-5).

<sup>2</sup>Kabul despatch 56 (4-12-1923) (A. S. XI 40).

<sup>3</sup>e.g., the Jalalabad Jirgas of 1923.

<sup>4</sup>Para. 474.

<sup>5</sup>Tel. X. M. I (26-8-1923) from Waz. to N W F. (A. S VIII 231).

<sup>6</sup>Kabul despatch 56 (4-12-1923) (A. S. XI 40).

<sup>7</sup>Paras. 250, 266.

<sup>8</sup>See N. G. Sarkar's 'Afghanistan', Sec. IV. 'Engagements', pp. 9-10. Also Aitchison's Treaties, Vol XI. 323

<sup>9</sup>Pp. 70-72 of N. G. Sarkar's 'Afghanistan'. Sec. (IV) 'Engagements'.

3. In 1901, Habibullah Khan became Amir of Afghanistan and not long after his accession declared<sup>1</sup> that he would observe and adhere to the agreements made with his father. The late Amir, Durand Line or no Durand Line, could not resist the temptation of coquetting with the independent tribes, and it is certain that the new Amir like his father before him was, from the very beginning of his reign, in the habit of paying sums of money to influential members of the tribe on our side of the line.

4 In the very early part of Habibullah's reign no very serious attempt was made to record the actual figures of the sums of money paid, though the fact of payment was perfectly well known to our Frontier officials, to whom the information was, in most cases, given by the actual recipients. To make their real object less obvious these payments were often disguised as religious endowments (see Mr Pears' note, dated 10th January 1924) and in the lists which were compiled in 1912<sup>2</sup> mullas and their immediate following were still predominant. It will be understood that, since the Amir's rival in the affections of the tribes was the Government of India, the most regular and most favoured recipients of his bounty were mullas and leaders notorious for their anti-British sentiments

5 As time went on the Amir Habibullah enlarged the scope of these questionable operations, and the Government of India felt bound to protest. In 1904, Afghan intrigue with the Afridis and Orakzais reached such a pitch that it was impossible to disregard it. For instance it is recorded that in October of that year Sardar Nasrullah Khan announced the grant of permanent allowances to 22 elders.<sup>3</sup> and there was every reason to believe that the Amir was making a serious bid for Mohmand allegiance by substantial money payments. It was therefore high time that the Amir should be reminded of his obligations, and in the autumn of 1904<sup>4</sup> a British Mission under Mr. Dane was sent to Kabul, empowered to discuss all questions concerning the interests of India and Afghanistan. One of the chief points for discussion was the open violation of the Durand agreement by the Amir, in respect of his intrigues with the independent tribes.

The *aide memoire*<sup>5</sup> given to Mr Dane contained the following sentence — 'It is notorious that the Afridis are constantly being invited to Kabul and that they are given large sums of money by the Amir'

Nor indeed was the Amir at pains to deny these payments, and he even put forward<sup>6</sup> the plea that the Durand agreement only precluded the Amir from interference with territory, and not from relations with inhabitants.

6 The upshot of Mr. Dane's mission was a renewal of the agreements made with Abdur Rahman.<sup>7</sup> But no treaty was able to make Habibullah discontinue the practice of summoning jurgas to Kabul from time to time, paying them money on the spot, and promising them allowances in the future.

Our own control over the tribes however was perhaps not seriously undermined, and the Government of India seemed to resign themselves to the inevitable. For some years the question of these allowances was not raised again as a serious issue between Afghanistan and the Government of India, but they were an ever present problem to the Administration of the North-West Frontier Province (*vide* the diaries *passim*). In 1908 the Political Agent in the Khyber—Major Roos-Keppel—referring<sup>8</sup> to 'the yearly increasing grants of these allowances' described the state of affairs in the following terms :—

'Influential men of every clan of the Afridi tribe are being gradually bought over, yearly jurgas go to Kabul to receive presents, living expenses and *rukhsatana* (totalling far more than the same individuals would receive from us), and the Afridis have now practically equal dealings with the British and Afghan Governments professing loyalty to each in turn, receiving allowances, expenses, cash rewards, etc., from each, and, to make the comparison more complete, raiding alternately in the territories of both to satisfy their spite against one or the other.'

It must be borne in mind that on their part, the Afridis, after 1897, had concluded an agreement<sup>9</sup> binding themselves to have no dealing with any power but the British. Major Roos-Keppel recommended<sup>10</sup> that, either a deduction should be made from the British allowances granted to the Afridis, or that, in the alternative, the Afridis should be informed that British relations with the Amir were so friendly that all objections to their having direct

<sup>1</sup>See N G Sarkar's 'Afghanistan' Sec (IV) 'Engagements', p. 121.

<sup>2</sup>Pp 2-3 notes in Progs. F B April 1913, No. 92.

<sup>3</sup>Progs. S F January 1905, Nos 283—343, p 29.

<sup>4</sup>Ibid, Nos. 34—136.

<sup>5</sup>P. 6 of Appendix to Notes in Progs. S. F. January 1905, Nos. 34—136.

<sup>6</sup>Cf. N. G. Sarkar's 'Afghanistan', Sec IV, p. 119

<sup>7</sup>Encl. 12, Pro. 521 in Progs. S. F., May 1905, Nos 448—557.

<sup>8</sup>Encl. in Pro. 84 in Progs. S. F. December 1908 Nos 84—87

<sup>9</sup>Vide Pros 200—210 in Progs. S. F. January 1899, Nos 185—256-A.

<sup>10</sup>Encl. in Pro. 84 in Progs. S. F. December 1908, Nos. 84—87. ---

dealings with His Majesty were at an end. The Chief Commissioner approved<sup>1</sup> of neither of these proposals, and considered that for the time being the best policy was to shut our eyes and to do nothing. This policy based on expediency was agreed to.<sup>2</sup>

7. In 1912<sup>3</sup> the Amir wrote to His Excellency the Viceroy complaining of the aggressive action of Malik Yar Muhammad Khan of Chora and of certain outlaws, and bad characters of the Sangi Khel and the Afridi tribes. The North-West Frontier Administration thereupon pointed<sup>4</sup> out that the border offences complained of were the result of jealousy between the Amir's allowance holders and their rivals, who were not in the pay of Kabul. Accordingly His Excellency the Viceroy in reply to the Amir's letter wrote by Kharita No. 4 P.O.[A.,<sup>5</sup> March 7th, 1913, as follows :—

' There is, however, one other thing which I must point out to Your Majesty. The control of the British Government over the Afridi tribes, who are in a great measure responsible for the offences complained of, has been greatly impaired by the fact that Afridi Jirgas are, from time to time, received at Kabul and Jalalabad, and that Maliks and members of the Afridi tribes receive annual allowances, as well as occasional presents, from the Afghan Government. This action not only serves to create jealousy and ill-feeling among the tribesmen themselves, which leads to the commission of offences by malcontents in Afghan limits, but it is, as Your Majesty is aware, contrary to the treaty between the two Governments, dated the 21st March 1905,<sup>6</sup> which re-affirmed the agreement, dated the 12th November 1893, in Clause 2 of which the late Amir agreed to abstain from all interference in the territories on this side of the line laid down. So long as this interference by the Afghan Government with our tribes continues, the task of the British Government in maintaining order on this side is rendered more difficult, and, both on the grounds of your treaty obligations and in the interests of the peace of the border, I ask Your Majesty to take steps to put a stop to it.'

8. In 1912<sup>7</sup> on a reference from the President of the Army in India Committee a statement was compiled of the allowances granted by the Amir of Afghanistan to various tribes on the North-West Frontier. It was stated that, while no regular acknowledged tribal subsidies were paid by the Amir, there was indisputable evidence that annual allowances, occasional presents, and entertainment grants, were given by, or on behalf of, the Amir to individual members of tribes on the North-West Frontier, resident within the British sphere of influence. The total amount paid was estimated at 75,000 Rupees (British).<sup>8</sup>

In this report Sir G. Roos-Keppel remarked :—

' The payments are made to such individuals of various tribes as visit Kabul or Jalalabad in response to periodical summonses from certain Afghan officials. No written conditions are laid down in regard to these allowances, but the condition, implied or verbally stated, is hostility to the British Government. The policy of the Afghan Government—or perhaps we should say of Sardar Nasrulla Khan, who is in charge of this portfolio—is to keep alive Afghan influence in our tribal territory, and to foster ill-feeling there against our Government as a defence against possible British aggression.'<sup>9</sup>

467. (b) During the reign of the present Amir.—The attitude of Amanullah Khan on this accession towards the British Frontier tribes was, as has been noticed, frankly 'irredentist'<sup>10</sup>, and he was therefore not likely to discontinue any measures calculated to maintain Afghan influence among them. Reports received from the North-West Frontier from time to time throughout his reign go to show that the system of Afghan allowances to our tribes has been continued, and in South Waziristan definitely developed.

' Afghan policy in regard to. .... allowances.....has varied from time to time and allowances seem to be different on different parts of the border. A more or less regular system of allowances has been maintained since 1900 in the case of Afridis of Khyber. .... System appears to have been elastic and payments have varied in accordance with changing necessities of financial capacity of Afghan Government and political situation at the time. System has been too regular to be described as occasional payments, though it has never been acquiesced in by us. Elsewhere on border no record can be traced up to 1919 of more than occasional payments to individuals. Large tribal allowances were paid in that year in North Waziristan, but there has been no repetition of

<sup>1</sup>Pro. 84 *ibid.*

<sup>2</sup>Pro. 85 *ibid.*

<sup>3</sup>Pro. 15 in Progs. S. F. July 1913, Nos 15—34.

<sup>4</sup>Pro. 22 *ibid.*

<sup>5</sup>S. F. July 1913, Nos 15—34, cor. p. 30.

<sup>6</sup>Endo. 12 in Pro. 521 in Progs. S. F. May 1905, Nos 448—537.

<sup>7</sup>P. 10 (Appx.) Progs. F. B April 1913, No. 92.

<sup>8</sup>Note by Major W. G. Neale (15-4-1924) (F. 240 F. 1926 Notes pp. 1—3).

<sup>9</sup>*Ibid.* Appx. I.

<sup>10</sup>Para. 95.

such payments, and amount is much the same now as in 1912. It seems therefore that only present large increase is in Southern Waziristan, and that political prominence of those tribes, and their hostility to us, originated the large regular allowances paid there.<sup>1</sup>

As against this view in regard to British acquiescence, it might be argued that the continuance of a subsidy to the Amir Habibullah Khan, during the payment by him of such allowances, did in fact constitute acquiescence in them.

A few instances of payments reported to have been made to each of the leading British tribes may be quoted :—

**468. Afridis.—**In November the Afridi Jirga stated :—

‘ Many of the Afridis are receiving allowances from the Amir. Some of them, namely Said Almar and Said Kabir, etc., went to Kabul. They are allowed by Mohammad Nadir Khan, War Minister, to spend Rs. 50,000 and told that they should endeavour to make room for Ajab and Sultan Mir, etc.’<sup>2</sup>

About the same time a report was received giving figures for the allowances of Said Almar and his party.<sup>3</sup>

Towards the end of 1923 the Afridis in receipt of Afghan allowances were active in assisting the Afghan officials, to evade responsibility for disposal of the Kohat gang.<sup>4</sup>

**469. Mohmands :—**

‘ The allowances to the Mohmand tribes were partly paid at the Jalalabad jirga last year, and were partly distributed afterwards by Badshah Gul ’<sup>5</sup>

‘ He pays allowances to Bajauris, Dawezais, Utmanzais, Halimzais and Isa Khel.’<sup>6</sup>

**470. Wazirs.—**In October 1923 Waziristan reported an announcement by the Governor of Khost, made when paying allowances, that the payments to the Wana Ahmadzais would cease.<sup>7</sup>

It was not precisely ascertained what payments were made on this occasion but the Waziristan authorities thought that these—

‘ must have covered the arrears up to the time of payment, and possibly anticipated a few months in the future ’

The Governor was—

‘ believed to have stated that the Afghan Government had decided to pay allowances only to Maliks domiciled in Afghan territory, giving, as example, the names of five Kabul Khel Utmanzai Maliks who have definite domiciles in Birmal. If therefore the Ahmadzai Wazirs of Wana wished to have allowances, they must settle in Birmal. . . . . (This reference was to the scheme which we know as Haji Abdur Razzak’s colonisation and irrigation scheme in Birmal).’<sup>8</sup>

On the murder of Major Finnis the Amir was reported to have withheld the payment of Afghan allowances to the hostile Ahmadzai maliks.<sup>9</sup>

In December 1923 the Minister reported the issue of a cheque for Rs. 20,000 on Urghun treasury for the payment of Wazir allowances.<sup>10</sup>

Details as to the amounts of the Afghan allowances paid to Wazir hostiles, and the distribution among sections were given by the Wana Wazir jirga on December 20-21, 1923.<sup>11</sup>

In January 1924 it was reported from Waziristan that the allowances of Wazir maliks had been withdrawn, but it was not known whether the suspension of payment was final or temporary.<sup>12</sup>

<sup>1</sup>Tel. 2551 (12-9-1923) from N. W. F. to G. of I. (A. S. VIII 254).

<sup>2</sup>(A. S. IX 32C).

<sup>3</sup>Memo. I. O 458 (24-11-1923) from I. O., N. W. F. (A. S. X 9).

<sup>4</sup>Kabul tel 205 (30-12-1923) (A. S. XI 211)

<sup>5</sup>Letter 17448 (19-12-1923) from N. W. F. to G. of I. (*ibid* 183).

<sup>6</sup>Ex. letter 36 (4-1-1924) from N. W. F. to G. of I. (*ibid* 292-A).

<sup>7</sup>Memo. 1910 (19-10-1923) from Res. Waz to Wazforce (A. S. IX 113).

<sup>8</sup>Memo. 7912-5-C. (14-12-1923) from Wazforce to G. of I. (A. S. XI 57).

<sup>9</sup>Tel. A. G. S.-1 (21-12-1923) from Wazforce to G. of I. (*ibid* 111).

<sup>10</sup>Kabul tel 199 (26-12-1923) (*ibid* 159).

<sup>11</sup>Memo. 2512 (25-12-1923) from Res. Waz to Wazforce (*ibid* 176) and see Memo. 15941 (18-1-1924) from Waz. to G. of I. (A. S. XII 176).

<sup>12</sup>Tel. 15942 (7-1-1924) from Waz. to G. of I. (A. S. XII 2).

In March it was stated that Malik Guldin, a leading Zilli Khel hostile, had received an order for Rs. 20,000 on account of the Ahmadzai Wazir allowances for 1923, and it was reported that after the Nauroz allowances for the current year would also be paid.<sup>1</sup>

A list of allowances paid by the Afghan Government to the Ahmedzai Wazirs in 1926 was given by the Resident, Waziristan in his memo. 258 of June 17.<sup>2</sup>

**471. Mahsuds.**—In June 1923 the Resident in Waziristan compiled a list of sums allotted to the Mahsuds:—

'I can now add the information, which I have lately received from a reliable source, that the total amount of the allowances sanctioned by the Amir for the Mahsuds is Rs 69,000 Kabuli per annum, and that the list was drawn up in the presence of Nadir Khan himself, who obtained the sanction of the Amir to it, but kept it carefully concealed from the Foreign Minister, Sardar Muhammad Wali Khan.'

The largest individual allowances given in this list were to Musa Khan (Abdullah) Rs. 15,000, Ahmad Khan his son Rs. 2,500, Misa his cousin Rs. 3,000, and Qutab Khan (Salimi Khel) Rs. 3,000.<sup>3</sup>

In October 1923 it was reported that Rs. 3,000 Kabuli had been paid to Musa Khan, and that he was to receive a further Rs. 10,000 in Khost.<sup>4</sup>

'There is some idea that Kabul allowances for Mahsuds may be reduced, but the only definite announcement from Kabul about allowances reported by companions of Musa Khan is that, since British Minister had objected that Afghan allowances were paid only to our hostiles, Afghans would in future continue the allowances to hostiles, even after they had made a friendly settlement with us.'<sup>5</sup>

In September 1923 Musa Khan and his party of Mahsuds were stated to have received their yearly allowances at Urghun,<sup>6</sup> and, in September 1926, a lakh of rupees, reported to represent roughly the allowances of the Bahlolzai for three years.<sup>7</sup>

#### 472. Discussions of the question.

(a) **Before the treaty of 1921.**—During the negotiations preliminary to the conclusion of the Rawalpindi Treaty the Afghan delegates had been informed that one of the conditions precedent to the conclusion of a Treaty of Friendship was—

'that there should be no unfriendly intriguing with our tribes ; that no allowances should be granted them by the Afghan Government.'<sup>8</sup>

The Viceroy in a Kharita of January 17, 1920 called the attention of the Amir to breaches of this condition<sup>9</sup>, and in reply the Amir wrote—

'Your Excellency has stated that the representatives of the frontier tribes received allowances from me. It is true of course that since many years, from the time of my grandfather and my father these poor tribes have been coming to Kabul, their place of refuge and Islamic centre, and receiving allowances and rewards for coming to see their Muhammadan King.'<sup>10</sup>

The British delegates to the Mussoorie Conference of 1920 were instructed 'to refuse to admit any Afghan right of interference' with British tribes.<sup>11</sup>

At that Conference the question of these allowances was discussed only as one of the forms of Afghan interference on the British side of the Durand Line, and no separate demand was made in regard to it:—

Mr. Dobbs. 'We have an enormous amount of evidence that Haji Abdur Razzak and Shah Daula have been urging on the Wazirs and Mahsuds against us, and Colonel Shah Daula has been giving them rations, money, and ammunition ..... I want to make quite clear what we have to complain of, because we want you to stop it in future'<sup>12</sup>

<sup>1</sup>Tel G. 25 (7-3-1924) from Waz. to G. of I. (A. S. XIII 214).  
<sup>2</sup>(A. S. XX 88).

<sup>3</sup>Note by Major W. G. Neale (15-4-1924) (F 240 F 1926) (n. pp 7—11 Appx. II).

<sup>4</sup>Memo 1710 (17-10-1923) from Res. Waz to Wazforce (A. S. IX 83).

<sup>5</sup>Tel 2910 (29-10-1923) from Res. N.-W. F. (*ibid*, 131).

<sup>6</sup>Memo 7196 (1-11-1923) from Wazforce to G. of I. (*ibid*, 165).

<sup>7</sup>Para 481.

<sup>8</sup>Para 87.

<sup>9</sup>Kharita 2 P. O. A. (17-1-1920) from Viceroy to Amir (Progs. October 1920, 343).

<sup>10</sup>Kharita 14 (10-2-1920) from Amir to Viceroy (*ibid*, 353).

<sup>11</sup>Letter 178 M. C. (6-8-1920) from Br. Rep. Mussoorie to G. of I. (Progs. Jan. 1921, 137).

<sup>12</sup>Progs. of the 8th Meeting (*ibid*).

In reply it was pointed out that neither the practice nor the complaint was anything new :—

Nazir of Commerce ‘The late Amirs Abdur Rahman Khan and Habibullah Khan were your friends, but even at that time you used to object, and His Excellency the Viceroy always used to write and say that we were inciting the frontier tribes’<sup>1</sup>

Similarly the Mussoorie *aide memoire* made no explicit mention of these allowances, although the payment of them is clearly a form of the ‘interference’ which was specified in paragraph (3) :—

The British Government expect that the Afghan Government will undertake in particular to restrain their subordinate officials and others from inciting the frontier tribes within the British boundaries against the British .....and to abstain themselves from all interference with tribes or persons on the British side of the frontier.<sup>2</sup>

On this paragraph was based Clause XIV of the ‘pisaller’ draft treaty ; but this clause—as also the subsidy to be paid for its observance—found no place in the ‘gentlemanly’ Treaty eventually signed.<sup>3</sup>

473. (b) After the treaty of 1921.—The formula of the *aide memoire* was again employed in Sir H. Dobbs’ letter of December 1, 1921, to which Sardar Mahmud Tarzi sent an unaccommodating reply. This did however contain the expression :—

‘The Government of Afghanistan has no intention of doing anything to instigate unrest in the territory of her neighbour the Indian Government, and does not do so. .... The Exalted Government of Afghanistan will try their best to ensure that the frontier tribes, being tranquil, shall not take antagonistic steps against the subjects of her friend’<sup>4</sup>

Any value these assurances might have had was clearly discounted by the denial that the existing practice of the Afghan Government (which included the payment of allowances) was objectionable.

When in 1923 the Afghan Government embarked on a policy of active intrigue in Waziristan, the Government of India wrote :—

‘It is suggested by Humphrys that Afghan Foreign Minister should be addressed by him in writing immediately on his return to Kabul, adducing as concrete instances of Afghan intrigues in Waziristan..... and payment of allowances to British tribesmen

He would insist on drastic and immediate reduction of allowances, and would explain that whole question would have to be thrashed out at an early date. He considers that we should be overloading our demands by making settlement of allowance question condition precedent to import of arms, and thinks that in view of past history Afghans would consider this unreasonable. We consider therefore that this complicated question should be pressed by Humphrys in manner he suggests, and should be excluded from formal list, though we still adhere to view that payments on present scale constitute provocative and unfriendly policy’

The reply of the Secretary of State on this point was :—

‘Request for reduction of allowances seems to involve tacit acquiescence in principle. It may be old-standing practice to make occasional payments to British tribesmen, but what we object to is system of regular allowances which we understand has grown up only in recent years. We think therefore that invitation to Afghans to discuss whole question of allowance should be included in his Note by Humphrys, who should explain orally that we intend to insist on cessation of this recent development.’<sup>5</sup>

The Government of India remarked :—

‘System of giving regular allowances is not new. Thus much the same language was used about them by Roos-Keppel in 1912 as by Pears to-day :—

‘Regular allowances are given by Amir to elders who are hostile to British Government. Amir spends on our tribes 1½ lakhs Kabuli per annum, on a conservative estimate. In the Wana Agency Rs 38,000 Kabuli is paid almost entirely to the Mullah Powindah and his Sheikhs and the anti-British elders and maliks, and in the Khyber the list of Amir’s allowance-holders is fairly complete list of the prominent men most hostile to our Government.’

<sup>1</sup> Progs of the 8th Meeting (Progs. January 1921, 137).

<sup>2</sup> Para 99.

<sup>3</sup> Para. 142.

<sup>4</sup> Para 192

<sup>5</sup> Tel 1017 (7-8-1923) from Viceroy to S of S. (A. S VIII 155).

<sup>6</sup> Tel. 3113 (23-8-1923) from S. of S to Viceroy (*ibid* 192).

Apparently the difference between the old practice and the present practice does not lie in regularity of system but in its character—it is now less individual and more tribal—and its extent.<sup>1</sup>

The Minister's opinion was as follows :—

' I should be glad to be allowed discretion to withhold, at this stage, mention of allowances in written note. I would in conversation make it clear to Foreign Minister and Amir that these allowances are regarded with strong disapproval by His Majesty's Government, and that my instructions are to take up general question at an early date. .... without prolonged negotiations, I consider there is no chance whatever of complete cessation of allowances all along the frontier '<sup>2</sup>

The Secretary of State replying to the Government of India said :—

' In view of information furnished by you as regards allowances, it will suffice for the present if it is made plain by Humphrys that allowances are considered by His Majesty's Government as excessive in amount, and inevitable cause of trouble, and if written undertaking to discuss whole question at early date is secured by Humphrys.'<sup>3</sup>

The Minister was however to make every possible effort to secure the cessation of supplies from Afghan Government to Musa Khan and other leading hostiles ; although permission was given to omit mention of allowances in the written note to be presented to the Afghan Government.<sup>4</sup>

Note 307, dated September 18, 1923, which stated the British demands ran as follows :—

' His Majesty's Government have decided.....to withhold permission for the transit of arms.....until their belief that the Government of Afghanistan is pursuing an unfriendly and provocative policy.....has been dispelled by certain actions which are specified below : .....

*(B) Complete cessation of anti-British intrigues in Waziristan :*

No specific mention of allowances was made in this note, but on October 2, the subject was discussed with S. Muhammad Wali the Foreign Minister, and in appreciating the significance of the conversation S. Muhammad Wali's ignorance of Frontier affairs must be borne in mind.<sup>5</sup>

' The Foreign Minister said that he felt sure that the allowances had been grossly exaggerated (in particular he characterised as absurd the sum of Rs 15,000 entered as paid to Musa Khan), and that the only reason at present for their payment was to prevent raiding by the tribesmen into Afghanistan, though he admitted that in the past the Afghan Government had been guided by other considerations. Orders had recently been issued that any tribesman who was found guilty of intriguing against the British Government, or of interfering with the settlement which was being concluded by that Government with the Mahsuds and Wazirs, would immediately forfeit his allowance. He mentioned also that the control of these allowances, which was formerly vested in the Commander-in-Chief, had been transferred to the Foreign Minister..... The Foreign Minister promised that no allowances to anti-British intriguers would ever be countenanced by him, but he said that the Afghan Government would be greatly embarrassed if they ceased to pay certain allowances on the border, which amounted to blackmail and were designed to prevent raids on Afghan subjects.....he asked me to consider the difficulties which the Afghan Government would have to face in completely discontinuing a system of allowances, which had been in force for many years, and which they had hitherto believed necessary in their own interests.'<sup>6</sup>

A few days later North-West Frontier Intelligence reported an announcement by the Afghan frontier authorities that ' except for some five Wazir maliks allowances would in future be paid only to those actually living in Afghan territory '?<sup>7</sup>

In November 1923 the Secretary of State telegraphed :—

' It seems increasingly probable that until question of allowances in general is dealt with there will be little real improvement in this connection..... It seems very desirable to take early steps to initiate definite discussion of whole question '<sup>8</sup>

<sup>1</sup>Tel 1071 (27-8-1923) from Viceroy to S. of S. (A. S. VIII 205).

<sup>2</sup>Kabul tel. 130 (30-8-1923) (*ibid* 229)

<sup>3</sup>Tel. 3181 (30-8-1923) from S. of S. to Viceroy (*ibid* 218).

<sup>4</sup>Tel. 50 (10-9-1923) from S. of S., F. A to Min. Kabul (*ibid* 253).

<sup>5</sup>Para. 281.

<sup>6</sup>Kabul despatch 40 (4-10-1923), (A. S. IX 40).

<sup>7</sup>Tel. 1256 (18-10-1923) from Viceroy to S. of S. (*ibid* 59).

<sup>8</sup>Tel. 4025 (13-11-1923) from S. of S. to Viceroy (*ibid* 237).

**The Government of India replied :—**

‘ We agree with you in regarding this question of allowances as the root of all the trouble, not only in Waziristan, but also in other parts of the Frontier. We certainly think that as soon as opportunity offers it should be taken up, but it is not capable of immediate settlement. Indeed, for reasons which have been represented over and over again, it is a point over which Afghans are likely to be most stubborn ’.<sup>1</sup>

The Secretary of State agreed,

‘ subject to possibility that further developments may raise the question of allowances in acute form.’<sup>2</sup>

The murder of Major Finnis on November 30, 1923, gave an opportunity for pressing the whole question on the attention of the Afghan Government, and on December 26, the Minister reported a promise by the Afghan Foreign Minister that the arrears of their allowances would not be paid to any Wazirs, together with his own doubts as to the fulfilment of this promise.<sup>3</sup>

(S. Muhammad Wali afterwards explained that the British Minister had misunderstood him on the point, and that the meaning of the promise had been that nothing would be paid to the Wazir and Mahsud Khassadars in future.<sup>4</sup>)

In March 1924, the Secretary of State again pressed for the question to be taken up with the Afghan Government<sup>5</sup>, and on March 29 Sir F. Humphrys raised it with the Foreign Minister :—

‘ Wali said that the allowances hitherto paid are of long standing and small amount, and that there was no intention to increase them. I pointed out that practice was radically objectionable, and I proposed at an early date to take up whole question with him.’<sup>6</sup>

**474. The Amir’s promises (April 3, 1924).**—On April 3, Sir F. Humphrys took up the question at an audience with the Amir and

‘ put forward demand for cessation immediately of all Afghan allowances and pay, whatsoever, paid to British tribesmen in Waziristan, and said that it would be necessary to insist upon this principle of non-interference throughout whole length of our common frontier..... Amir seemed to be greatly impressed by argument which I kept to force that payment to British tribesmen of Afghan allowances, whatever ostensible motive might be doled out, results in fact in unneighbourly conduct and anti-British activities.

He expressed surprise however that question on which such strong views were held by His Majesty’s Government had not been tackled in discussions leading up to present Treaty by Dobbs, and to any undertaking which involved surrender of marketable assets he was evidently most unwilling to commit himself.

I again stressed gravity of Finnis case and finally two definite promises were obtained from Amir :—

(1) So long as present Treaty remained in force no Afghan pay or allowances of any kind would be paid to Waziristan tribesmen. He could not undertake stoppage of payment of usual entertainment expenses to British tribesmen visiting Afghan officials, but promised that visits would not be encouraged and that these payments would be small. He said that before negotiations for next treaty were opened he could not formally sign away Afghan claims, hitherto maintained, to pay allowances to all frontier tribes.<sup>7</sup>

The undertakings given by the Amir to the Minister on April 3, were recalled to his attention on August 27, and he confirmed them, at the same time reasonably pleading his inability to take definite action until the difficulties, in which he was involved by the Khost rebellion, were over.<sup>8</sup>

This promise, restricted as it was to Waziristan tribesmen, and leaving open the loophole of entertainment expenses, nevertheless forms a landmark in the history of the subject. For it not only gave for the first time, a definite standard of promise in regard to allowances in Waziristan by which performance could be measured, but it frankly stated the value which the Amir placed on this asset for

<sup>1</sup>Tel. 1488 (19-11-1923) from Viceroy to S of S. (A. S. IX 276).

<sup>2</sup>Tel. 4273 (3-12-1923) from S of S. to Viceroy (A. S. X 15).

<sup>3</sup>Kabul tel. 199 (26-12-1923) (A. S. XI 159).

<sup>4</sup>Kabul tel. 8 (8-1-1924) (A. S. XII 54).

<sup>5</sup>Tel. 716 (3-3-1924) from S. of S. to Viceroy (A. S. XIII 157).

<sup>6</sup>Kabul tel. 76 (30-3-1924) (A. S. XIV 7).

<sup>7</sup>Kabul tel. 80 (4-4-1924) (*ibid* 30) and see Kabul despatch 50 (8-4-1924) (*ibid* 79).

<sup>8</sup>Kabul tel. 165 (27-8-1924) (A. S. XVI 16).

purposes of diplomatic negotiation. It was hardly a coincidence that the day after the Amir's promise had been given S. Nadir Khan, in conversation with the British Minister, lamented the 'cost to himself and influence of Afghans with the frontier tribes'<sup>1</sup> involved in the substantial fulfilment of the British demands in regard to Afghan intrigues.

**475. The Khost Rebellion—a 'smoke screen'.**—Unfortunately, the moment the Amir had given his promise of April 3 the Khost rebellion gathered strength; and it was impossible to test his sincerity. It was too much to expect that in his extreme need he would deny himself the assistance forthcoming from the British tribes, or that when they had rendered him service he could send them away unrewarded. Whether these rewards were a genuine non-recurring acknowledgement of these services, or whether they were in fact disguised allowances or khassadar pay, it was at the time impossible to say with certainty.

The Minister commented as follows :—

' In Khost it is quite possible that, in order to re-establish their position, the Afghans will find it necessary to make a lavish distribution of money, and the recipients may (especially if the report . . . . of losses suffered by Wazirs in assisting the Afghan forces is confirmed) include ex-Khassadars. Non-recurring payments of this kind must be considered on the merits of the case, but any definite manifestation of a resumption of payment of allowances to Waziristan tribesmen during this period will constitute a gross breach of the promise made to me by the Amir.'<sup>2</sup>

**476. The grounds and implications of a formal objection to the allowances.**—It was intended at this time that conversations on the subject should be continued with the Afghan Government :—

' It is hoped that Mr Maconachie will have sufficient data on which to base his oral representations to the Afghan Foreign Minister for the total abolition of all Afghan allowances paid to British tribesmen. It seems clear, however, that for any area outside Waziristan he will be unable to do anything more than prepare the way for the demand which it is understood will be preferred by the British delegates in the negotiations for the new Treaty.'<sup>3</sup>

But before the question of allowances as a whole could be taken up with the Afghan Government as suggested by Sir F. Humphrys it was clearly necessary to anticipate the arguments which might be urged in justification of these payments.

**477. Discussions in despatch 56 of December 4, 1923.**—The subject had been discussed in the Kabul 'Treaty' despatch of December 1923 :—

" (A) The payment by the Amir of allowances to tribesmen on the British side of the line.

The whole question of these allowances is now under examination, the result of which must be awaited before any demand can be made in this connection. It may, however, be useful to indicate the lines which negotiations on this subject seem likely to follow.

Since such payments have been in vogue, at least on some parts of the frontier, for more than twenty years, a demand for their cessation would certainly evoke a protest that, as Amir Habibullah had continued to draw a subsidy from the Government of India while making them, His Majesty's Government are morally estopped from claiming at this stage that they constitute a breach of the Treaty. This argument, though it must be admitted to have some force, can perhaps be overruled.

Another would then be adduced, by which these allowances would be represented as blackmail paid to the tribes as insurance against raiding by them into Afghan territory. This plea is, of course, discredited by the fact, which cannot be a mere coincidence, that such allowances are paid almost exclusively to individuals who are hostile to the British administration. There appear, however, to be only two alternative replies to it which could be regarded as logical :—

(i) an offer to pay compensation, as fixed after investigation by joint commission of enquiry, for all raids committed in Afghanistan from within the British border.

To this the Afghan delegates would probably object that such commissions are in practice unsatisfactory, owing to the dilatoriness of their proceedings and the number of false charges brought before them by both sides. As prevention, they would urge, is better than cure, so insurance is not only preferable to uncertain compensation but also,

<sup>1</sup>Kabul tel. 81 (9-4-1924) (A. S. XIV 52).

<sup>2</sup>Kabul memo. 277 (15-5-1924) (*ibid* 261).

<sup>3</sup>*Ibid.*

eventually more economical. An assertion that the object of these payments was purely economic, and in no way political, would pave the way for the second alternative :—

- (ii) a proposal that in future these allowances should be paid direct to the present holders by the Government of India, through their own officers, on a scale commensurate with that sanctioned for other frontier allowances. All these allowances might then be made subject to deduction or confiscation, on proof of raids by the recipients into either Afghan or British territory

The adoption of this suggestion would deal a severe blow to Afghan prestige in the 'independent' belt, and would probably induce the Amir's former pensioners to come quickly to terms with their new paymasters. Such a solution would, it is realised, not be free from practical difficulties. For His Majesty's Government to pay allowances to tribesmen previously hostile might be considered to place a premium on recalcitrancy. In the case, however, of so prominent a hostile as Musa Khan, this objection has not apparently been considered insuperable by the local political authorities, who have already mooted the expediency of granting him an allowance on his submission.

If this proposal were to commend itself to His Majesty's Government, it would be first necessary, without giving any hint that it might be put forward, to discuss the general question of allowances with the Afghan Government and induce them to state in writing the amounts now paid by them to each recipient. These, it would probably be found, would be represented as being far below the figures reported by British frontier officers in the past. Should this prove to be the case, the task of bringing the allowances based on them into conformity with the British scale would be rendered less difficult. Such payments might suitably form part of the 'subsidy in kind'.<sup>1</sup>

The two arguments which it was anticipated in this despatch would be employed by the Afghans to meet a demand for the discontinuance of the allowances were actually put forward in subsequent discussions, the first, that the practice had been tolerated for a long time, by both the Amir and his Foreign Minister,<sup>2</sup> and the second, that it was an insurance against raiding by the recipients, by the Foreign Minister.<sup>3</sup>

**478. Criticisms of the despatch**—The comments of the Agent to the Governor General, Baluchistan, on this passage in the despatch were :—

A. 'These payments appear to be a distinct violation of Articles I and II of the Treaty and it is difficult to see on what ground the Afghan Government can defend them, either as consonant with the Treaty or the ordinary rules of international comity.'

(i) I cannot see much force in the argument that these allowances are paid to the tribes concerned as insurance against raiding into Afghan territory. No recognised power has any right to subsidise the subjects of another power to safeguard its territory against violation. Its only right is to maintain its own defence within its own border, and to claim from the neighbouring power redress with regard to violations committed from the territory of that power. It seems possible that our difficulties in the way of practical enforcement of our responsibilities in Afridi and Wazir territory have been exaggerated. . . . .for the reason that the Amir would not formally ask for enforcement of these responsibilities . . . . . We should in fact be putting up a bluff that he could not venture to call.

(ii) I should doubt both the practicability and effect of Colonel Humphrys' second alternative. I am very doubtful as to how these new allowance-holders would fit into tribal policy, and the effect would in my opinion be rather a victory for Afghan prestige and a blow to Indian'.<sup>4</sup>

The opinion of the Chief Commissioner, North-West Frontier Province, was :—

'Payment of allowances to our tribes . . . . .was formerly comparatively harmless ; but now that the Amir's policy has changed and these practices are associated with Bolshevik and Indian revolutionary intrigues, they have become exceedingly dangerous and harmful to us. . . . .'

A. *Payment by Afghans of allowances to our tribesmen*.—It is suggested—

- (i) that objection on our part would evoke the argument that we are estopped by reason of our past complacency , or
- (ii) that Afghans would claim that they pay the allowances as insurance against raids.

<sup>1</sup>Kabul despatch 56 (4-12-1923), (A. S. XI 40)

<sup>2</sup>Paras. 473, 474.

<sup>3</sup>Para 473

<sup>4</sup>Memo. 17 (16-1-1924) from Baln. to G. of I. (A. S. XII 152).

The first objection, the Minister agrees, can be overruled ; and I have already given very good reasons why it should be. As regards the second objection, there is to my mind very little force in the argument. The Minister has himself alluded to the fact that payment is made to our hostiles, and it is an admitted fact that the Amir's allowance-holders are, comparatively speaking, men of little importance in the tribes. Such influence as they do possess they owe mainly to their Afghan allowances. In any case it is not from our hostiles that the Afghans need fear raiding. .... As regards what we should offer in return for stopping the payment of these allowances (i) the offer to pay compensation for raids is, in my opinion, inevitable. It would have to be done by enforcing tribal responsibility, as we should probably be unable either to detect or to deal with the actual criminals. (ii) The proposal that we should pay the same allowances to the present allowance-holders, seems to me out of the question.<sup>1</sup>

The Resident in Waziristan wrote :—

' Much stress has been laid on the fact that payments in some form to our tribal subjects have been condoned in the past, even for 20 years. .... The retort to this is that there was a complete breach of continuity in our relations with Afghanistan during the war of 1919, after which Afghanistan acquired a new status as an independent kingdom. Whatever we may have consented to overlook in the acts of Amir Habibullah, over whom we exercised a form of suzerainty, we are not bound to overlook much grosser acts on the part of a Sovereign who claims to be independent of any control on our part ... One cardinal fact has been lost sight of, namely, that in their original form these allowances were totally different in theory from the present allowances. They were disguised, after the time-honoured Afghan manner, as religious endowments. .... I have reported that Musa Khan receives Rs. 15,000 (Kabuli) per annum from the Amir, and the Afghan Foreign Minister has characterised this statement as being "absurd". And yet the fact remains that Musa Khan continues to receive Rs. 15,000 (Kabuli) from the Amir, whether the Afghan Foreign Minister knows it or not. .... I feel bound to protest with all possible force against the suggestion made in Colonel Humphrys' proposal that in future the Afghan allowances should be paid direct to the present holders by the Government of India, through their own officers, on a scale commensurate with that sanctioned for other frontier allowances. .... We may now turn to the Afghan theory that they feel bound to pay allowances to our tribesmen as black-mail to prevent them from raiding into Afghanistan. This theory has no foundation in fact .... I would urge most strongly that we should openly accept our responsibility for our tribes vis-à-vis the Afghans, and should insist, as much as possible, on the necessity of settling these international cases by means of Joint Commissions.'<sup>2</sup>

In short, Mr. Johnston suggested that the allowances were objectionable on the ground that they constituted a breach of Articles I and II of the Treaty, Mr. Bolton on the ground that the present Amir's policy unlike that of his predecessors, was associated with Bolshevism and Indian sedition, and Mr. Pears on the score that they were no longer paid under the disguise of religious endowments, and that the present Amir was an independent Sovereign and not under British suzerainty, as previous Amirs had been.

All three officers were opposed to the suggestion that the Government of India might take over the Afghan allowances in some form or other, and all three were in favour of shouldering the responsibility for raids into Afghanistan from British territory as a corollary of the demand for cessation of these allowances ; Mr. Johnston regarding such acceptance of responsibility as a bluff which would never be called.

None of them thought that the Afghan justification of their allowances, as an insurance against raiding, had much force ; while Mr. Pears went so far as to say that this theory had 'no foundation in fact.'

(On the other hand it may be noticed that Sir G. Roos Keppel had, in 1908, spoken of the Afridis as ' raiding alternately in the territories of both ' the British and Afghan Governments<sup>3</sup> and that this pretext for the payment of allowances had been regarded by the Government of India in 1919 as genuine :—

' It must be remembered that, until we can control our own tribes and prevent their depredations into Afghan territory, it is rather hard to expect Amir to abstain from giving them blackmail as we do.'<sup>4</sup>

while in 1926 the Zakka Khel, stated as the reason for their raids into Afghanistan ' withholding of the Afghan allowances ').<sup>5</sup>

<sup>1</sup>Ex. letter 36 (4-1-1924), from N W F., to G of I, (A. S XI 292-A.). (It will be noticed that the Kabul despatch did not suggest the payment of the *same* allowances)

<sup>2</sup>Memo. 15942-97-G. (11-1-1924) from Waz. to G. of I. (A. S XII 102).

<sup>3</sup>Para. 466 (6).

<sup>4</sup>Tel. 1014-S. (10-7-1919) from Viceroy to S of S. (Progs Oct. 1920, 737).

<sup>5</sup>Letter 2481 (16-12-1926) from N. W. F. to G. of I. (A. S. XXI 12).

**479. Clearing the ground.**—In these circumstances Mr. Maconachie felt some uncertainty as to the basis on which the Government of India desired that the claim for cessation of Afghan allowances should be put forward, and indicated some difficulties in the way of employing the arguments advanced by Mr. Pears. He also asked whether there was any ground for his impression that

“we do pay allowances to some admittedly Afghan tribes, Saifali or Paipali Kabul Khel Wazirs, and that some of the recipients of our Mohmand allowances may be honestly regarded by the Afghan Government as Afghan subjects, although not admitted to be so by us.”<sup>1</sup>

This correspondence had not been concluded by the time Sir F. Humphrys returned from England, and the subject was then discussed with him by the Foreign Secretary.

In reply to Mr. Maconachie’s enquiries it was stated—

‘As to the point of our payment of allowances to Afghan subjects. We have a clear conscience over the Mohmands. For the Suleman Khels and Dotanis of Wana Agency, who are *dokora*, we could not be held blameable, and, though certain Saifali and Paipali allowance-holders never come to our side of the Durand Line except to receive them, the lands in the Kurram Valley are the property of the tribes as a whole, and not only of the resident portion.’<sup>2</sup>

Sir F. Humphrys however remarked :—

‘We must be careful, I think, before we take our stand on any argument connected with *dokora*, for, if the Suleman Khel and Dotanis are *dokora*, so surely are many of the Wana Wazirs who have definite grazing rights in Birmal.....The whole problem bristles with difficulties.’

He further said :—

‘I am personally strongly opposed to making any attempt to purchase Afghan abstinence from intrigue in any negotiations for a future Treaty’.<sup>3</sup>

**480. A policy approved.**—The attitude of the Government of India on the general question was stated to be as follows :—

‘The Government of India have had under consideration the question raised by His Majesty’s Minister at Kabul in paragraph 7 (3) (A) of his Treaty despatch No. 56 of 4th December 1923....., namely, the payment by the Amir of allowances to tribesmen on the British side of the Durand Line.

2. The methods to be adopted for the removal of this interference—particularly the grounds on which a protest should be based and its form of presentation—have been discussed informally with His Majesty’s Minister in Kabul, and certain provisional conclusions have been reached on which your comments are invited.

3. The obligation on the Afghans of non-interference with our tribes flows directly from ordinary international usage. At first sight, therefore, it would seem preferable to take one’s stand simply on international comity. But against this is the fact that the tribal zone has at times been recognised by the Government of India in official documents as independent, and the Afghans know that no attempts have been made to enforce our authority there in the same way as in settled districts. But the chief difficulty is that payment of these allowances has been condoned in the past, and that unsuccessful attempts were made during the negotiations of 1920-21 to obtain from the Amir what might be held by him to amount to a self-denying ordinance, in return for consideration, which would now be demanded from him for nothing. Tactically, therefore, it would appear wiser to base the protest on the present Treaty, and on some clause in it that did not exist in the old agreements with previous Amirs. Article I lays down the absolute independence not only of Afghanistan but also of Great Britain: even as we scrupulously respect Afghan independence, the Amir must scrupulously respect ours, and cease his interference with our tribes. This line of argument appears more likely to appeal to the Amir and his Government than the generalities of international comity. It would, however, be foolish to ignore altogether the other line of argument.

4. It seems unlikely that any formal undertaking on the Amir’s part to cease payment of allowances would be of any value, as it is probable that he will continue to

<sup>1</sup>D. O. letter 379 (20-6-1924), from C. d’A., Kabul, to G. of I (F. 240-F., n. p. 19)

<sup>2</sup>D. O. letter 412 (1)-F. (9-5-1925), from G. of I., to Min., Kabul (*ibid* n. p. 22).

<sup>3</sup>D. O. letter 183 (3-9-1925), from Min., Kabul, to G. of I. (*ibid* n. p. 26).

pay them until he thinks it not to be worth his while to do so. The only consideration that would weigh with him would be—

- (1) the certainty of incurring our hostility ; and,
- (2) the feeling that the money was being thrown away.

It is, therefore, considered that we should, both under the present Treaty and in any Treaty that we may henceforth negotiate with the Afghans, always take it for granted that the payment of allowances to our tribesmen by them is inconsistent with our independence, and will not be tolerated by us. The solution would appear to lie, not in demanding a complete cessation of the payment of the allowances simultaneously all along the frontier, but in protesting against each flagrant case as it arises.

With the insistence on non-interference in our sphere, goes necessarily the acceptance of responsibility for offences committed from it in Afghanistan. In a way, this is another argument in favour of a gradual solution of the problem by tackling it piecemeal as the evil becomes intolerable, for we should thus avoid being inundated with Afghan demands for compensation, etc. But, if the principle is worth having, we must not shirk our responsibility, for it is there for better or worse ever since we signed the Durand Agreement.<sup>1</sup>

Baluchistan and North-West Frontier both accepted this policy<sup>2</sup> and the Resident in Waziristan wrote :—

'The payment of these no doubt has been going on for a very long time and is likely to go on equally long. But, in my opinion, the practice should never be condoned ; and, especially in cases like those of the Mahsud allowances, for which the Afghans can plead no justification whatever, payment should very seldom, if ever, be passed over without protest '<sup>3</sup>

His Majesty's Government were addressed on the subject<sup>4</sup> and approved the conclusions reached by the Government of India, but remarked :—

'Negotiations for a revision of that treaty would, as the Government of India evidently recognise, almost inevitably involve the discussion, in general terms, of the question of Afghan interference with British tribes and, no less probably, the presentation by His Majesty's Government of a formal demand, such as it is the aim of the policy outlined in your letter to avoid, for the absolute cessation of the practice along the whole length of the Frontier'<sup>5</sup>

**481. Protests under this policy.**—The position now reached was that certain promises had been obtained from the Amir, and a policy in regard to these allowances definitely approved by His Majesty's Government.

It remains to mention the action taken in accordance with this policy.

In April 1926 the Resident in Waziristan wrote :—

'No allowances were paid to either Mahsuds or Wazirs in 1925, but the Ahmadzai Wazir allowance holders received a payment at Urgun towards the end of March last. Apparently they got only two-thirds of the arrears due to them.'

'August is the month for the payment of Mahsud allowances. The intention is credibly reported to be the same. But Musa Khan and Amaldar with a small following are said to be in Kabul, and may be able to get more.'<sup>6</sup>

On June 25, 1926 the Minister called the Amir's attention to the fact that :—

'Wazirs and Mahsuds on the British side of the Durand Line were confidently expecting to receive Afghan allowances'

The Amir reiterated his assurances on the subject and said that probably expenses for food and leave-taking given to tribesmen had been misrepresented as allowances.<sup>7</sup>

In September 1926 Sir F. Humphrys warned the Afghan Foreign Minister in regard to certain Afridis, who were then being interviewed by the Governor

<sup>1</sup>Memo. 412 (1) (F) (26-10-1925), from G. of I, to N. W. F. and Baln (F 240-F, 1).

<sup>2</sup>Memos. 593 (7-11-1925), from Baln and 1002 P. S (27-5-1926), from N. W. F., to G. of I (*ibid*, 4 and 15).

<sup>3</sup>Memo. 403 (25-4-1926), from Waz, to N. W. F. (*ibid* 9).

<sup>4</sup>Letter 412 (1) F. (18-8-1926), from G. of I, to U. S. of S (*ibid* 28).

<sup>5</sup>I. O. letter 2967 (18-10-1926) to G. of I (*ibid* 45).

<sup>6</sup>Memo. 403-T (25-4-1926) from Waz to N. W. F. (*ibid*, 9).

<sup>7</sup>Kabul despatch 45 (26-8-1923) (A. S XX, 97).

of Jalalabad, and was informed that—

‘The bad old days were gone for ever, by which he meant, I suppose, that the practice of paying British tribesmen to maintain a hostile attitude towards the Government of India was no longer authorised by the Afghan Government.’<sup>1</sup>

About the same time the Waziristan authorities reported :—

‘Total pay for three years due to Bahlolzai was Rs 1,60,000 ; of this Musa Khan has given Rs. 60,000 as subscription towards two aeroplanes.....Musa Khan has brought to Mandech one lakh of rupees.’<sup>2</sup>

This was reported to His Majesty’s Government, and the Minister at Kabul was authorised to make an official protest at his discretion.<sup>3</sup>

The Minister delivered an ‘informal protest’<sup>4</sup> on the subject to the Afghan Foreign Minister, and an ‘oral protest’ to the Amir. The latter said that—

‘Musa Khan might have received an insignificant sum after a visit to the Governor but a lakh or anything like it was a ludicrous overstatement.’<sup>5</sup>

**482. Signs of progress.**—During 1927 there appeared to be definite signs that the Afghan Government was moderating its payments of allowances to British tribes :—

‘King recently paid reward to tribesmen at Ghani Khel as follows. One lakh to Mohmands, 25 thousand to Afghan Shinwars. There is no indication that he has paid anything to Afridis.’<sup>6</sup>

‘Deputy Commissioner, Peshawar also reports that, inspired by large payments recently made to upper Mohmands, jirga of Isa Khel Burhan Khel clan of lower Mohmands, including relations of all leading British allowance-holders, have gone to Kabul’?<sup>7</sup>

But later the Chief Commissioner wrote :—

‘In view of fact that majority of both Afridis and Mohmands were turned back from Jalalabad, I agree that it is not necessary to send in protest’<sup>8</sup>

**483. Punitive action against British tribes which accept Afghan allowances.**—The recent discussions of the principle involved originated with a Kabul despatch of 1923 à propos of the closely connected question of attendance of British tribesmen at Afghan jirgas :—

‘Presumably however since the tribesmen are prone, in order to increase their own importance, to exaggerate the amounts received by them on such occasions it would not be difficult by deducting from allowances payable to them by the Government of India the equivalent of sums stated to have been so received, etc.’<sup>9</sup>

The suggestion which, as already noticed, had been made long before by Sir G. Roos-Keppel,<sup>10</sup> apparently commended itself to the Secretary of State who remarked :—

‘There seems to be no reason why British tribesmen should receive payment from both parties.’<sup>11</sup>

The opinion of Sir John Maffey on the suggestion was as follows :—

‘The question was raised in the case of the Afridis in 1907. It should be noted that the position of the Afridis is different from that of other tribes of the border in view of the fact that they have undertaken by an engagement, signed in 1898, (see Treaty No. 32, page 99, of Aitchison’s Treaties, Volume XI) to have no dealings with any Power but the British. So far as I am aware, this provision is included in the engagement signed by no other tribe. In his letter No. 1648-N., dated 19th October 1907, Sir Harold Deane forwarded for the orders of the Government of India a letter from Major (afterwards Sir George) Roos-Keppel regarding the future treatment of jurgas visiting Kabul, and of Afridis in receipt of allowances from His Majesty the Amir of Afghanistan. Major Roos-Keppel recommended, in view of the clause of the 1898 treaty referred to above, that a 25 per cent deduction from the allowances of the whole tribe, with a warning that the deduction would be continued until the tribe had shown in a practical

<sup>1</sup>Kabul memo. 527 (13-9-1926) (F-240-F., 30).

<sup>2</sup>Ex. letter C. I. (23-9-1926) from P. A. S. Waz. to N. W. F. (*ibid* 34).

<sup>3</sup>F. O. tel. 44 (24-12-1926) (*ibid* 58).

<sup>4</sup>Kabul tel. 10 (25-1-1927) (*ibid* 62).

<sup>5</sup>Kabul tel. 30 (23-2-1927) (*ibid* 64).

<sup>6</sup>Kabul tel. 237 (9-2-1927) (*ibid* 68).

<sup>7</sup>Tel. 424 (10-9-1927), from N. W. F., to G. of I. (*ibid* 79).

<sup>8</sup>Tel. A. 193 (23-9-1927), from N. W. F., to G. of I. (*ibid* 84).

<sup>9</sup>Kabul despatch 11 (6-4-1923) (W. S. IV, 381-A).

<sup>10</sup>Para. 466 (6) and see below.

<sup>11</sup>Tel. 1926 (26-5-1923) from S. of S. to Viceroy (W. S. IV 555).

manner their intention of enforcing obedience to the agreement upon individual members of the tribe, should be made, in consequence of the growing habit of the Afridis of receiving allowances from the Amir. In the alternative, he recommended that the Afridis should be informed that our relations with the Amir were so friendly that all objection to their having direct dealings with His Majesty was at an end. Sir Harold Deane recommended the adoption of neither of these proposals, and observed that the only course appeared to be for Government to shut its eyes to this breach of the agreement so long as may be expedient, the only true solution of the difficulty lying in the discouragement by the Amir himself of visits of Afridis to Afghan officials to receive allowances and rewards. In their telegram No. S.-493, dated the 28th October 1907<sup>1</sup> the Foreign Department conveyed their agreement with the view expressed by Sir Harold Deane

As regards the future, we shall continue here to withhold favour from men who attend the Amir's Darbars. Political Agents and Deputy Commissioners are instructed to do this, and it would not be wise to do more. We do not want the tribes to suppose that we go in fear of these Afghan intrigues, and we do not want to raise the attractions of forbidden fruit. The only real solution of the question is that by diplomatic means the Amir himself should be prevailed upon not to issue these invitations. So long as there is money on offer in Kabul for our tribesmen, some of them will be there to take it.<sup>2</sup>

The Resident in Waziristan after discussing the history of the case went on to say :—

'The obvious course was to cut any allowances payable to the malcontents, distributing these cuttings to the others who had behaved themselves. As a rule however the sums recoverable were small; their smallness being very often the reason for the malcontents' visit to Kabul. The effect of this cutting also was usually discounted by the fact that the malcontents had received in Kabul considerably larger sums as 'expenses' and 'parting gifts'. The result was simply to create a body of chronic malcontents, who could afford to disregard our allowances because they were sure of larger (and equally regular) allowances at Kabul.....There seems indeed to be no reason why British tribesmen should receive payment from both parties, the Afghans as well as ourselves. We may not be able to prevent our tribesmen from receiving those allowances, but it is to be hoped that we can prevent the Afghan Government from paying those allowances.'<sup>3</sup>

The question does not appear to have been raised again until October 1924, when the Government of India informed the British Representative at Kabul, in connection with the Amir's appeal to British tribesmen for assistance during the Khost rebellion :—

'Practically no Wazir malik went to Afghanistan except for hostiles and Madda Khel Wazirs, and it appears doubtful whether idea of going is, or, was, really alive among the rest. If they meet it now they will be prohibited from going on pain of forfeiture of maliki.'<sup>4</sup>

In accordance with this policy :—

'The individual allowances of certain Madda Khel and Hassan Khel Wazir maliks and of certain Nazar Khel and other Mahsud maliks were cut, either for the actual period spent by them in Afghanistan, or for the whole half year during which these maliks were absent. Tribal allowances were not cut.....Only among the Mahsuds was action found necessary elsewhere.'<sup>5</sup>

Sir F. Humphrys however considered that :—

'Payment of some form of compensation to Madda Khels who helped them in Khost rebellion would inevitably be reply of Afghan Government to cut of tribal allowances by Political Agent, as punishment for assisting Amir in his need.....There is no doubt Afghans resent unfriendliness suggested by these fines.....In the circumstances I consider I should be on insecure ground if I were to protest against payment of special non-recurring rewards as compensation.'<sup>6</sup>

<sup>1</sup>(Progs. No. 85 in S. F., December 1908, Nos. 84—87).

<sup>2</sup>Memo. 1752-P.C.N (29-6-1923) (A. S. VIII 18)

<sup>3</sup>Memo. 496 (28-6-1923), from Res. Waz., to Wazforce (*ibid* 82).

<sup>4</sup>Tel. 1621 (17-6-1924), from G. of I., to C d'A. Kabul (A. S. XVI 248).

<sup>5</sup>Memo. 1863/90 (6-10-1926), from N. W. F., to G. of I. (F. 240-F., 35) q. v. for a history of the case.

<sup>6</sup>Kabul tel. 359 (29-6-1926) (F. 240-F., 22).

The matter was allowed to 'rest'<sup>1</sup>, and in March 1927 the Chief Commissioner authorised the Resident in Waziristan should the need arise, to warn—

'our own allowance holders.....that in future they will not be allowed to accept any such allowances (*i.e.*, as Musa Khan was reported to have received), and that if any of them or their near relatives do so we shall consider ourselves perfectly justified in withholding any allowances on our side.'<sup>2</sup>

It may be remarked that the Minister's attitude in 1926 was not inconsistent with that adopted by him in 1923. His objection in 1926 was only directed against penalising tribesmen who had helped the Amir in his time of need against the Khost rebels. In 1923 he had suggested penalising a response in time of peace to Afghan intrigues, which were actuated merely by the desire to keep the Amir's influence alive among the British tribes.

**484. The source of payments.**—In Amir Habibullah's time the 'portfolio' of Frontier affairs was held by S. Nasrullah Khan,<sup>3</sup> whose duties, on the accession of Amanullah, were assumed by S. Nadir Khan, notoriously a strong advocate of the maintenance of Afghan influence among the British tribes :—

'Nadir Khan's view was that the maintenance of the Afghan connection with the British frontier tribes was essential to Afghanistan, both as an offensive and defensive weapon.'<sup>4</sup>

In September 1923 a great improvement from the British point of view was effected by the transfer of frontier affairs to S. Muhammad Wali<sup>5</sup>, but the latter's lack of personal experience in this branch of his duties<sup>6</sup> must have given many openings to local officials for evading compliance with his orders. In April 1924 the Resident in Waziristan suggested that S. Nadir Khan, in spite of the transfer of frontier matters from his charge, continued to interfere in them :—

'For the last month it has been apparent here that the conflict of policies was becoming acute in Kabul .....Information..... was to the effect Nadir had determined at any cost to challenge Wali's policy.'<sup>7</sup>

In 1927 we again find Frontier affairs taken out of the hands of the Foreign Minister, and placed in those of a special officer, Yawar Muhammad Jan.<sup>8</sup>

There is reason to think that the Afghan Frontier Department has always enjoyed considerable independence of action, and that the Foreign Minister is not always informed of its proceedings. This arrangement may have been intentional ; for it would certainly be convenient as enabling the Foreign Minister to deny, in all good faith, the correctness of British reports regarding Afghan intrigues on the border<sup>9</sup>.

The lack of administrative co-ordination suggested in the last paragraph would clearly facilitate the success of secret intrigue by the Soviet Legation in Kabul ; and although there appears to be no case, proved beyond all doubt, of Russian money actually reaching the British tribes, there are constant indications of the strong probability of it having done so. In April 1922 intelligence reports speak of the Amir being incensed at the discovery that without his knowledge Jemal Pasha had been sending agents to the Frontier Tribes ; and the close liaison between the Russian Minister and Jemal Pasha at this time was notorious.

The reason officially given for the expulsion of the Indian revolutionaries in October 1922 was that they had been in receipt of secret funds from the Soviet Legation<sup>10</sup>, and it is known definitely that these revolutionaries had during the Third Afghan War been active in intrigue on the Frontier.<sup>11</sup> Barkatulla, one of the most prominent of them, had accompanied Jemal Pasha to Kabul.<sup>12</sup> The British Note presented to the Soviet Government in 1923 cited further evidence on the point.<sup>13</sup> In November of that year the Secretary of State called attention to a report that Soviet funds had been sent to the *Muhajirun* on the

<sup>1</sup>(F.-240-F., n p. 36).

<sup>2</sup>Memo. 488 (5-3-1927), from N. W. F., to Res. Waz. (*ibid* 68, Encl. 3).

<sup>3</sup>Para 20 (2).

<sup>4</sup>Memo. 251 (25-1-1924), from Res. Waz., to Wazforce (A. S. XII 232).

<sup>5</sup>Kabul despatch 40 (14-10-1923) (A. S. IX 40).

<sup>6</sup>Para. 281.

<sup>7</sup>Tel 16025 (6-4-1924), from Waz., to G. of I. (A. S. XIV 31).

<sup>8</sup>Ex. letter 183/2 (24-9-1927) (F.-240-F.-86).

<sup>9</sup>Memo. 1 (27-11-1923), from G. of I., to Min. Kabul (A. S. X, 1-A).

<sup>10</sup>Para. 227.

<sup>11</sup>Para. 41.

<sup>12</sup>Para. 107.

<sup>13</sup>Para. 197.

Frontier by Mahendra Pratap, and to the bearing this report might have on a payment made to Musa Khan.<sup>1</sup>

The comments made by the Government of India in this connection are interesting, and mention a statement that—

'One at least of the Mahsud recipients of an Afghan allowance, a man named Tilai, got his last payment in some strange currency.'<sup>2</sup>

The Minister discussed the point in his 'Treaty' despatch :—

'The existing Treaty makes no attempt to restrict the activities of the Russian Minister at Kabul, and the information supplied to me has been sufficient to show that, previously to the exchange of Notes in May last between His Majesty's Government and the Soviet, he had succeeded in establishing contact with several of the more notorious agitators on the Indian frontier, and considered himself in position to undertake the supply of revolutionary literature to India. In one case he is known to have provided a Sikh seditionist with funds, and such revolutionaries as Mullah Bashir, Mullah Makhfi, and Ayub Khan of Baftal, were believed to have been in receipt of regular pay from the same source. To the first of these M. Raskolnikov is known to have supplied money and arms for presentation to Wazirs, or Mahsuds. The revolutionary newspaper "Al Mujahid" printed at Chamarkand, was almost certainly subsidised by the Russian Legation.'

Of the results actually achieved by these activities the Government of India are in a better position to judge than myself, nor do I find it easy to estimate the extent to which the Amir connives at such intrigues. Although when he considers that the stability of his own administration is endangered, as in the case of the Kabul seditionists, he has shown himself capable of repressive measures, it is highly probable that when Bolshevik money is devoted to objects with which he is himself in sympathy, such as the prevention of a settlement in Waziristan, he encourages its expenditure through his own officials. In the present time of financial stringency, so inexpensive a form of statecraft would make a special appeal.'<sup>3</sup>

It is unnecessary to multiply instances, but, as an indication of the probability that such activities on the part of the Soviet Legation continue, it is worth noticing that in the case of the payment of one lakh of rupees reported to have been made in September 1926 to Musa Khan, the Chief Commissioner was inclined to think that the money came from a Russian source,<sup>4</sup> and that the Fakir of Alingar, when inciting the Mohmands to the shortlived 'jehad' of June 1927 was reported to possess 'ample funds and to be distributing Russian sovereigns and Persian silver'.<sup>5</sup>

The point is not merely of academic importance, as bearing on the degree of bad faith shown by the Afghan Government in the past; it would obviously have to be borne in mind in the consideration of any arrangements designed to bring about the cessation of these allowances for the future.

The Government of India have already suggested drawing the Amir's attention to the danger to the Afghan Government involved in the payment by their officials 'of moneys derived from foreign sources in a foreign currency to our frontier tribesmen'.<sup>6</sup>

#### 485. The employment of British tribesmen as Afghan Khassadars.

**Before the Khost Rebellion.**—It has been noticed that the difference between this form of Afghan interference and the other two under consideration lay in the facts that it had been unknown previously to Amanullah's accession, and consequently never condoned by a concurrent payment of a British subsidy; that the 'Khassadars' although they may reasonably be regarded as the successors of Haji Abdur Razzaq's levies, who were employed in the Third Afghan War, only dated as 'Khassadars' from March 1923;<sup>7</sup> that a definite demand was accordingly made for their disbandment;<sup>8</sup> and that, after many shifts and evasions, sufficient progress had been made by March 1924 in compliance with the specific demands, to indicate the requisite change of policy on the part of the Afghan Government.

<sup>1</sup>Tel. 4077 (17-11-1923) (A. S. IX 261).

<sup>2</sup>Memo. 1 (27-11-1923), from G. of I., to Min. Kabul (A. S. X, 1-A.).

<sup>3</sup>Kabul despatch 56 (4-12-1923) (A. S. XI 40).

<sup>4</sup>F-240-F. (n. p. 42).

<sup>5</sup>Memo. 167 (18-5-1927), from N. W. F., to G. of I. (A. S. XXI 218).

<sup>6</sup>Memo. 1 (27-11-1923), from G. of I., to Min. Kabul (A. S. X, 1-A.).

<sup>7</sup>Para. 207.

<sup>8</sup>Para. 250.

The Foreign Minister was then informed :—

‘ His Majesty’s Government rely on good faith of Afghan Government to fulfil following promises in connection with demands in Note 307.....’

(3) Permanent dismissal of Wazir and Mahsud Khassadars, with undertaking that these men shall hereafter receive no payment in any form from the Afghan Government.<sup>1</sup>

In reply he merely expressed ‘ affection and gratitude ’ but gave no further undertaking.<sup>2</sup>

#### 486. During the rebellion.

The Khost rebellion then followed, creating a ‘ smoke screen ’ through which it was impossible to distinguish between re-enlisted ‘ Khassadars ’ and ‘ Alijaris ’ raised for a special emergency, and in any case it would have been almost as futile at such a juncture to ask the Amir not to employ our tribesmen, as to ask a drowning man not to save himself by catching hold of a plank which is not his property. But it was made clear to the Amir that the attitude of His Majesty’s Government in regard to the principle involved remained unchanged.<sup>3</sup>

‘ At the end of March information was received that the deserters and Khassadars had again been enlisted by the Governor of the Southern Province.....At a later interview he (*i.e.*, the Afghan Foreign Minister) informed me that his investigations showed my information to be incorrect. If such re-enlistment has in fact taken place it may possibly prove to have been an emergent measure, taken by the Governor on his own responsibility, in face of the danger threatened by the Mangal rising.’<sup>4</sup>

Subsequent information received from time to time from Waziristan seemed to confirm the correctness of this conjecture :—

‘ The policy however of employing tribal auxiliaries in Khost has given an obvious opportunity to the Afghan Government to revive their influence on the British side of the Durand Line. The tribesmen which may be so affected appear to be the Afridis, Wazirs and Mahsuds. Its objectionable character has been brought to the notice of both the officiating Foreign Minister and the Amir .....Whatever the motives of the Afghan Government may have been in adopting it, the fact remains that the policy in question is fraught with very objectionable possibilities.’<sup>5</sup>

In October reports were received that Wazirs were being summoned to Afghan territory and that the Khost Militia deserters had been re-enlisted.<sup>6</sup>

S. Mahmud Tarzi, on resuming charge as Foreign Minister, was reminded of British requirements in the matter, and said that—

‘ as soon as the situation in the Southern Province permitted he would go into the question himself, and see that any existing irregularities were discontinued.’<sup>7</sup>

**487. Khassadars after the Rebellion.**—It is therefore only from the action of Afghan officials after the suppression of the Khost rebellion in January 1925 that any reliable indications can be gleaned as to whether the assurances given regarding the khassadars were intended to be fulfilled.

In December 1925 the Minister mentioned reports from Waziristan that the Amir had definitely stopped tribal allowances and khassadari pay to all who were not Afghan subjects domiciled in Afghanistan.<sup>8</sup>

In February 1926 the Resident in Waziristan forwarded an interesting statement by Shah Behram, Mahsud, an Afghan khassadar, in the course of which he mentioned that he had received money from the Bolsheviks<sup>9</sup> while in Kabul, and said :—

‘ Neither Wazir nor Mahsud khassadars have ever been disbanded.....the other Mahsud khassadars are also at their homes. They are all waiting to see what Government does for them and for me.’<sup>10</sup>

In April 1926 the Resident in Waziristan summarised the undertakings which had been given by the Afghan Government regarding these intrigues on the British side of the line, and described the extent to which these had been fulfilled.

<sup>1</sup>Tel. 584 (19-3-1924), from G. of I., to Min. Kabul (A. S. XIII 225).

<sup>2</sup>Letter 375 (20-3-1924), from Af. For. Min., to C. d'A. Kabul (*ibid* 299).

<sup>3</sup>Kabul tel. 165 (27-8-1924) (A. S. XVI 16).

<sup>4</sup>Kabul despatch 48 (7-4-1924) (A. S. XIV 77).

<sup>5</sup>Kabul despatch 117 (27-9-1924) (A. S. XVI 203-A.).

<sup>6</sup>Tels. 1567 and 1573 (9-10-1924), from G. of I., to C. d'A. Kabul (*ibid* 211-212).

<sup>7</sup>Kabul memo. 932 (18-10-1924) (*ibid* 259).

<sup>8</sup>Kabul despatch 102 (14-12-1925) (A. S. XIX, 145).

<sup>9</sup>Cf. para. 484.

<sup>10</sup>Memo. 137, (10-2-1926), from Res. Waz., to N.-W. F. (A. S. XIX, 225).

As regards khassadars he wrote :—

'The year 1925 closed with a pleasing absence of further incidents, and in the autumn of the year the Afghan Khassadars, who had been called up again during the summer, came once more to their homes. But, as in the previous year, they seem to have received orders to make no mischief, and the winter has passed quietly away. Both in 1924 and 1925 disappointment with Afghan notions of liberty has caused the number of their Mahsud backers for the time being steadily to dwindle. Qutab Khan, Salimi Khel, the hereditary chief malik of the tribe, made unconditional submission in December last, and there are now only four Mahsud Maliks of any consequence left out..... . Partly perhaps under stress of circumstances, during the last two years the Afghan Khassadars have been recalled to duty each spring, and released on leave each autumn. But now both formations<sup>1</sup> have reverted to what Colonel Shah Behram calls 'the old arrangement.' One third is to be always on duty and two thirds on leave at their homes, all drawing full pay all the time .....

Every promise made by the Afghans has thus been either broken or evaded. For the moment active and objectionable Afghan intrigue in Waziristan is quiescent..... . But the machinery for a renewal of intrigue, when convenient, survives intact, and all prospect of getting the current turned off at the main might seem to be as remote as ever. This, however, would be an erroneous view. Evasions and subterfuges notwithstanding a very great deal has been achieved.'<sup>2</sup>

The Chief Commissioner commented :—

'There can I think be no doubt whatever that both Mahsud and Wazir Khassadars are still being employed in Afghan service.'<sup>3</sup>

The Government of India stated their agreement with the Chief Commissioner—

'that the Afghan Khassadars recruited from tribes of Waziristan are forces *in esse* not *in posse*'.<sup>4</sup>

The Minister delivered an oral protest at his farewell audience on February 23, 1927.

'About continued employment of Mahsud Khassadars..... . The King's reply was that he knew nothing of this. He said that he had kept his promise to me to dismiss all Khassadars who were domiciled on British side of Durand Line, and he assured me that they had not been reemployed. His policy was to prevent any anti-British intrigue on our common frontier.'<sup>5</sup>

In August 1927 the Chief Commissioner, N. W. F. P. forwarded revised lists of Mahsud and Wana Wazir Khassadars in Afghan employ.<sup>6</sup>

**488. Discussions.**—In the 'Treaty despatch' the Minister discussed the employment of Afghan Khassadars on the British side of the line as one of the existing forms of Afghan interference, and remarked :—

'The examination of this question is proceeding, but at its present stage appears to indicate that an objection to the enlistment of such tribesmen in Afghan regular forces would be of doubtful validity (and in any case untenable so long as Hazaras are recruited for the Indian Army),<sup>8</sup> and that a protest against their enlistment in irregular levies would hardly be reasonable, even if it is found that no Afghan tribesmen are in fact enrolled by the British frontier authorities as Scouts or 'Khassadars' on the British side of the line. Here, as they wear no uniform or distinguishing badge, their duties, if any, appear to be hardly distinguishable from those of spies..... . It seems doubtful, however, whether the 'Khassadars' have in fact any duties at all. If not, 'pay' must only be another form of the allowances already considered, and objectionable on the same grounds.'

The Agent to the Governor-General in Baluchistan misunderstood the argument and thought that a parallel was being drawn between the employment of these Khassadars and enlistment of Hazaras in regular forces by the British military authorities.<sup>9</sup>

<sup>1</sup>i.e., Mahsud and Wazir Khassadars.

<sup>2</sup>Memo. 403 (25-4-1926) from Res. Waz. to N. W. F. (A. S. XX, 18).

<sup>3</sup>Letter 1938 (6-10-1926), from N. W. F. to G. of I. (*ibid* 242).

<sup>4</sup>Memo. 240 F. (18-10-1926) from G. of I. to Min., Kabul (*ibid* 257).

<sup>5</sup>Kabul tel. 30 (23-2-1927) (A. S. XXI, 79).

<sup>6</sup>Memo. 1726 (5-8-1927) from N. W. F. to G. of I (F. 240-F., 78).

<sup>7</sup>Kabul despatch 56 (4-12-1923) (A. S. XI, 40).

<sup>8</sup>See para. 602.

<sup>9</sup>Memo. 17 (16-1-1924), from Baln., to G. of I (A. S. XII, 152).

The Resident in Waziristan was under the same misapprehension, and went on to say :—

‘ Actually we can have no illusions as to what the duties of the Birmal Khassadars really are : they consist mainly of hostility to us. The Khassadars are designed to form a nucleus for tribal opposition, whenever we show that we intend to consolidate our control over Waziristan.’<sup>1</sup>

The Chief Commissioner, N. W. F. P., however, agreed—

‘ That we cannot object to the enlistment of our tribesmen in the Afghan regular forces, as long as we enlist Hazaras. The employment of our tribesmen as Afghan Khassadars on either side of the line is an entirely different matter. It has no sanction from past practice, and should be stopped unconditionally. I do not understand the Minister’s point of view when he says the Afghans may claim that these men are employed as spies. I can see no resemblance between the Afghan Khassadars and spies. The Khassadars are even given ranks as Colonel, etc., and openly oppose our allowance-holders and the party generally which is friendly to us. This surely entirely removes them from the category of spies.’

In this despatch the Minister’s intention, which he evidently failed to make plain, was to suggest the vague nature of the Khassadars’ duties, and the consequent difficulty of framing a demand which, while being reasonable and comprehensive, would not prove embarrassing to ourselves, and would allow of compliance with it being verified with certainty. The subsequent correspondence affords ample illustrations of this difficulty.

489. **The demands of 1923 and the Afghan undertakings.**—The undertakings given from time to time by the Afghan Government did not, it is important to notice, coincide with the demand put forward in the British Note of September 18, 1923 which ran :—

‘ The disbandment of all Mahsud and Wazir Khassadars in Afghan employ on the British side of the Durand Line.’

This was all that was *demanded* although it was *noted*—

‘ that assurances have been given, but not yet fulfilled by the Afghan Government, that all Mahsud and Wazir Khassadars, wheresoever employed by that Government, would be disbanded.’<sup>2</sup>

The question as to what the ‘ present Afghan undertakings about employment of our tribesmen ’ were, was raised in December 1924.<sup>3</sup> Sir F. Humphrys in reply traced the history of British demands and Afghan undertakings on the point, and concluded that the latter ‘ should be interpreted in practice ’ as follows :—

‘ (1) That the Afghan Government will not in future re-employ in the vicinity of the Waziristan frontier on either side of the Durand Line any Mahsuds at all. The undertaking in this case is comprehensive, since all the Mahsud tribes are ordinarily domiciled on the British side of the Durand Line, and none are therefore Afghan subjects. This would not, however, prevent the Afghan Government from employing at a distance from the frontier, Mahsuds, who had become permanently colonised in the interior of Afghanistan, e.g., the Abdur Rahman Khel Colony in Logar.

(2) That the Afghan Government will not reemploy in the vicinity of the Waziristan frontier, on either side of the Durand Line, any Wazirs, whose ordinary domicile is on the British side of the Durand Line. This would not prevent the Afghan Government from employing on their own side of the Durand Line Wazirs, who are considered by them to be Afghan subjects, (e.g., Saifali and Paipali Kabul Khel of Birmal); nor would the Afghan Government be debarred from employing Wazirs, ordinarily domiciled on the British side of the Durand Line, provided that that employment was at a distance from the Waziristan frontier, and was not calculated to embarrass the political situation in Waziristan. To insist on the total exclusion of British Wazirs from Afghan employment in any part of Afghanistan would, it appears, be impossible so long as the Government of India employ as Khassadars in the Tochi Agency certain Kabul Khel Wazirs, who are admitted to be Afghan subjects. It would also invite the raising of very difficult questions regarding nationality and naturalisation.’<sup>4</sup>

The Resident in Waziristan also discussed the subject. After reviewing the history of the case, he made recommendations as follows :—

<sup>1</sup>Memo 15942 (11-1-1924), from Waz., to G. of I. (A. S XII, 102).

<sup>2</sup>(A. S. IX, 9).

<sup>3</sup>D. O. letter from For Secy., G. of I., to Min. Kabul, 167-F, (2-12-1924), (A. S XVII, n. p. 3).

<sup>4</sup>D. O. letter 131-1, (22-1-1925), from Min., Kabul, to For. Secy., G. of I., (*ibid* n. pp. 24-26).

'(a) Khassadars.—The form in which the demand was cast will have been noticed. It was for 'the disbandment of all Mahsud and Wazir Khassadars on the British side of the Durand Line.' It will also have been noticed that before the demand was presented the Afghans volunteered a larger assurance for the disbandment of these men, wherever employed. A study of the Afghan Foreign Minister's two letters<sup>1</sup> above cited further makes it clear that they seem to have been intended as an intimation of the fulfilment of that assurance. During the course of the negotiations however Colonel Humphrys twice<sup>2</sup> demurred to the demand being construed as coincident with the assurance. Whether, after all the subsequent assurances and promises given by the Afghans, he would still adopt the same attitude, I cannot say. The question is certainly a difficult one. No foreign power can reasonably object to the Amir's employing his own subjects within his own territories in any way he chooses. It is difficult for the Indian Government, which itself employs Afghan subjects in the Hazara battalions of the Indian Army, to protest against the Amir's employing tribesmen from the Indian side of the Durand Line, provided that they are employed within Afghanistan for unobjectionable purposes. So long as the Afghan Mahsud and Wazir Khassadars are kept on the Afghan side of the line, they are comparatively harmless. But while the formations exist, it is always easy for the Amir to evade our demand in the form in which it was presented. For nothing can prevent him from allowing the men home on leave as often and for as long as he thinks proper, and it is when they come home on leave that they are dangerous. It is not for me to suggest tactics. What we want is the real abolition of these objectionable and dangerous formations. If the Minister thinks that he can get that well and good. Let him go for it in his own way. If not, the next thing that we require is that these Khassadars, and the colonies too, should behave themselves while they are in Waziristan. That we can ensure by our own efforts, without recourse to the Afghans, by making the consequences of misbehaviour unpleasant to them and to their fellow-tribesmen, as has recently been done. If this policy be accepted and followed up, it matters little what promises the Afghans make or break. But the air might be cleared by informal and frank discussion between Colonel Humphrys and the Afghan Foreign Minister. If this course should be adopted, it is possible that the Afghans will raise the plea that the Ahmadzai Wazirs of Wana, many of whom spend two or three of the summer months on the upland pastures of Birmal, are Afghan subjects, as certain Utmanzai sections who reside and are employed in Khost are more or less recognised to be, for the period of their stay in Afghanistan. But so far as the Ahmadzai are concerned, the plea should not be admitted. Their case can be paralleled by that of the Suleiman Khel, Nasirs, Kharots and other Powindah (Ghilzai) sections, who spend six or eight months of the year in British India, but are admittedly Afghan subjects. These are given no employment by the Indian Government, and only negligible allowances. As regards the Mahsud Khassadars we are upon stronger ground. Except for the Mahsud colonists of Logar and elsewhere, no Mahsud has any *locus standi* in Afghanistan, or, save in rare instances, any valid reason, other than arms-dealing or anti-British intrigue, for entering that country, the boundaries of which nowhere touch his own.<sup>3</sup>

The Chief Commissioner adhered to his previous opinion<sup>4</sup> and continued :—

'As there are certain distinguishing features between the two tribes, I will take them separately, and the Mahsuds first. A nominal roll of the Mahsud Khassadars employed at Urgun was forwarded to the Government of India with Resident's endorsement No. 447-T., dated the 2nd May 1926,<sup>5</sup> and it is believed to be accurate. With the exception of a few refugees and colonists no Mahsuds live in Afghanistan. No section of the tribe, as such, has any part or lot west of the Durand Line, and their territory does not even touch it any point. How then can the maintenance of this force be reconciled with the King's assurance that "it was only those tribesmen who were definitely domiciled in Afghanistan who would be allowed to take regular service under the Afghan Government"? I understand that a similar reference to 'domicile' was made in this connection by Ghulam Nabi Khan, Civil and Military Governor of the Southern Province, in a conversation with Sir Francis Humphrys. The explanation is apparently to be found in the order (see Resident's endorsement No. 848-T., dated 25th August 1926, copy forwarded under my No. 1866/362-P S, dated the 4th October 1926<sup>6</sup>) given to the Mahsud Khassadars, who recently returned to their homes from Birmal, that they were not to return to Afghanistan, until they bring with them their families and settle permanently in Afghanistan. It is apparently the intention of the Afghans to claim that

<sup>1</sup>(A. S. X 98 and XI 41).

<sup>2</sup>(A. S. XII 130 and XIII 16).

<sup>3</sup>Memo. 403 (25-4-1925), from Waz., to N. W. F. (A. S. XX, 18).

<sup>4</sup>Para. 488.

<sup>5</sup>(A. S. XX, 28).

<sup>6</sup>(Ibid 239).

those who do this have acquired Afghan domicile. We have been made acquainted with Afghan views on the subject of nationality, *vide* Afghan Series No. 54, Part XII and in view of the ease with which Afghan nationality can be acquired it seems highly probable that they would consider compliance with the recent order to confer Afghan domicile. I am not in a position to define the meaning of the word 'domicile' in international law, but I believe it is generally accepted that an essential condition for the acquisition of a new domicile is a final determination not to return to the former one. I do not think that any one can contend that this condition is, or is likely to be, fulfilled in the case of the Mahsud Khassadars. In these circumstances I consider that a further protest should be lodged by His Majesty's Minister, and it should be made clear that His Majesty's Government will not tolerate the evasion of his undertakings in this manner by His Majesty the King of Afghanistan. The Mahsud tribe as a whole is within the British sphere, and members of this tribe attracted to Afghanistan by offers of service will not be regarded as domiciled there, and their employment in Afghan service will be regarded as a breach of the assurances given.

The same arguments apply in the case of the Wana Wazir Khassadars who have received the same order as the Mahsuds, (*vide* Resident's Memorandum No. 830-T., dated 13th August 1926, copy forwarded with my endorsement No. 1866/362-P.S., dated 4th October 1926).<sup>2</sup> The difference between Wazirs and Mahsuds lies of course in the fact that a few Ahmadzai Wazirs in the neighbourhood of Shakai do spend a part of the year on the Afghan side of the Durand Line, as also do the Papali and Saifali Kabul Khel. While therefore we may not be justified in putting forward a claim against non-employment of the Wazir tribe as a whole, we can put it forward with equal force as regards all the Wana Ahmadzai sections who are domiciled on the British side of the Durand Line.<sup>3</sup>

The formulæ proposed by the Minister<sup>4</sup> for the practical interpretation of the Afghan undertakings were officially accepted by the Government of India<sup>5</sup> except for a variation in regard to the Mahsud colonists; the formula used in this connection by the Government of India being.—

'The Government of India, however, would not ordinarily object to the employment of the Mahsud colonists of Logar and elsewhere in Afghanistan in or near their homes.'<sup>6</sup>

[The expression 'in or near their homes' would, if taken literally preclude also unobjectionable contingencies, as for instance employment in Turkestan, and it is not clear why it was substituted for the Minister's phrase 'at a distance from the frontier' which seems to specify more accurately the real desideratum.]

#### 490. The reception of British Tribesmen at Afghan Jirgas.

**Before the accession of Amanullah Khan.**—The history of the case, previously to the accession of Amir Amanullah, is inextricable from that of the allowances<sup>7</sup>; for from the tribesmen's point of view the only real inducement to attend the Amir's jirgas is to be found in the sums of money obtainable at them whether these are called rewards, expenses, or allowances. So in the *avide memoire* given to Mr. Dane the two subjects are conjoined:—

'It is notorious that the Afridis are constantly being invited to Kabul, and that they are given large sums of money by the Amir.'<sup>8</sup>

**491. Since his accession.**—In Amanullah's reign the subject first came into prominence with the Hada jirgas called by S. Nadir Khan in January 1920.<sup>9</sup>

In the Viceroy's correspondence of February 1920 with the Amir the point was not specifically put forward as distinct from the general question of Afghan intrigues, but an indication of what the Afghan attitude on the subject would be, if it was pressed, was given in the Amir's letter of February 10, 1920, in which he explained as natural the desire of these 'poor tribes' to come 'to see their Muhammadan King'.<sup>10</sup>

<sup>1</sup> 'Mahsud and Wazir colonists who had emigrated to Afghanistan as *Muhajirs* and had been granted land were considered by Afghan Government to have become Afghan subjects,' see para 599

<sup>2</sup>(A. S. XX, 239).

<sup>3</sup>Letter 1938 (6-10-1926), from N. W. F., to G. of I (A. S. XX, 242).

<sup>4</sup>Para 489

<sup>5</sup>Memo. 240-F. (18-10-1926), from G. of I, to Min. Kabul, (F. 240-F., 40).

<sup>6</sup>*Ibid*

<sup>7</sup>Para 464.

<sup>8</sup>Progs. S. F. Jany 1905 (34-136 n. Appx p 6)

<sup>9</sup>Para 80. For an interesting allusion to these jirgas by S. Nadir Khan himself see Kabul memo 442 (12-7-1924) (A. S. XV, 157).

<sup>10</sup>Kharita 14 (10-2-1920), from Amir, to Viceroy (Progs. Oct. 1920, 353).

At the Mussoorie Conference Mr. Dobbs objected to the Hada jirgas, and other instances of this practice :—

'The Sipah Salar quite openly assembled the Mohmands and Afridis, and gave them standards and harangued them..... The Amir himself has admitted that he has, since the peace of Rawalpindi, interviewed the Wazirs and Mahsuds, and gave them medals for fighting against us.'<sup>1</sup>

During the Kabul negotiations the question does not seem to have been discussed, except as included in the general question of interference, covered by Clause XIV of the 'maximum' and 'pisaller' drafts,<sup>2</sup> and by Sir H. Dobbs' letter of December 1, 1921.<sup>3</sup>

**492. The Jalalabad jirgas (1923).**—Its practical importance, however, became manifest in connection with the Jalalabad jirgas of February and March 1923<sup>4</sup>, and in January 1924 the Minister expressed the view that :—

'In the category of.....new factors cannot be included the Jalalabad jirgas, since similar jirgas of British tribesmen have been held for many years by past Amirs ..... There appear to me to be only two new factors in Afghan policy which would, and in all probability do, produce an atmosphere favourable to the increase of ..... outrages, first the emphasis laid by the Amir on the glory of 'Jehad' and on his own title of 'Ghazi', and second his employment of Afghan Khassadars on the British side of the line.'<sup>5</sup>

And the Government of India asked for a report from the Chief Commissioner showing—

'whether the composition of the deputations from tribes residing on the British side of the Durand Line, who attended the recent jirga at Jalalabad, differed, to any marked extent from the composition of similar deputations in the days of Amir Habibullah Khan, or his father.'<sup>6</sup>

Sir John Maffey replied :—

'So far as the tribes of the Peshawar border, including the Kohat Pass Afridis and the Jowakis, are concerned, the composition of the deputations attending the jirgas differed from previous deputations in the past in the larger numbers who attended. At the same time the bulk of those attending, with the exception of the Mullahs, were men of no importance, and the gathering derived its significance rather from the quantity, than from the quality, of the tribesmen present. The reasons for this difference from past jirgas are two. In the first place the summons issued by the Afghan authorities was a general summons. In the past invitations have been extended rather to individuals than to the tribesmen as a whole; in the case of a summons such as that to the Jalalabad jirga greed and curiosity attracted large numbers. The second reason for the large attendance was to be found in the fact that it was expected that Amir Amanullah, the new Ghazi King, would do something big on this first occasion.'<sup>7</sup>

The Resident in Waziristan wrote :—

'I am not aware that we have protested against the summoning or admitting our tribesmen into Afghan territory. As far as my personal experience goes (dating from 1903), we have been in the habit of winking at the visits of our tribes to Kabul, Jalalabad, Matun, and Urghun, whether the tribes went of their own initiative, or were known to have been invited by the official and non-official intriguers at Kabul. On many occasions as Political Agent, Tochi, Kurram, and Khyber, I have represented the objectionable nature of this custom, but as far as I know the Government of India have never made a determined stand on the subject to the Amir, whether Habibullah Khan or Amanullah Khan.'<sup>8</sup>

The General Officer Commanding, Wazirforce, added that, so far as he was aware, no representative Mahsuds or Wazirs attended the jirga at Jalalabad.<sup>9</sup>

(There were, however, as has been noticed, Wazirs and Mahsuds present at Jalalabad just before the jirgas were held.<sup>10</sup>)

<sup>1</sup>Frogs. of the Eighth Meeting (Frogs., June 1921, 137).

<sup>2</sup>Para. 142.

<sup>3</sup>Para. 191.

<sup>4</sup>Para. 233.

<sup>5</sup>Kabul despatch 2 (3-1-1924) (A. S. XII, 32).

<sup>6</sup>Memo. 484, 412, I. F. (7-6-1923) from G. of I. to N. W. F. (F. 517-F., 225 c).

<sup>7</sup>Memo. 1752 (29-6-1923) from N. W. F. to G. of I. (A. S. VIII, 18).

<sup>8</sup>Memo. 496 (28-6-1923), from Res. Waz. (F. 412 (1) F. 79).

<sup>9</sup>Memo. 7196 (13-7-1923) (*ibid.*).

<sup>10</sup>Para. 232.

**493. Protests to the Afghan Government.**—When the Amir proposed to revisit Jalalabad, the British Minister took the opportunity to point out—

‘the unfortunate construction that would certainly be placed on repetition of last year’s jirgas of British tribesmen. Amir said that, if tribesmen came to visit him, he would have to see them, but promised that he would not send for any, nor have any public ceremony.’<sup>1</sup>

The warning evidently went home, for at an audience on April 3, 1924 the Amir asked Sir F. Humphrys :—

‘to place to his credit his abstinence during past year from interviews with British tribal jirgas.’<sup>2</sup>

But this warning had only referred to jirgas held by the Amir himself, and reports continued to be received that jirgas of British tribesmen were being held by local Afghan officials :—

‘In my opinion emphatic protest should be lodged against deliberate summoning by Afghans of large formal jirga of Afridi hostiles.....Failing such protest it seems illogical, since Governor is allowed to hold jirga at Mandatai without objection, to object to Amir holding one at Jalalabad.’<sup>3</sup>

The whole subject was discussed by the Minister with the Amir on April 3, 1924 :—

‘He could not undertake, however, that when these tribesmen visited Afghan officials at places like Urghun, Matun or Kabul, they would not be paid the usual entertainment expenses. I said there must be no conjuring with the spirit of the undertaking, which he had just given me. The principle laid down was clear, and must be strictly and honestly followed. The Amir promised that these visits would not be encouraged, and that entertainment expenses would be cut down to the lowest possible figure.’<sup>4</sup>

In July 1924 it was anticipated that invitations to attend the Great Assembly, to be held at Paghman in the following month, might be sent to British tribesmen, and the Afghan Government were given an oral warning on the subject.<sup>5</sup>

Invitations issued to certain Mohmands raised the difficult question of the actual international position in Mohmand country<sup>6</sup>, but it does not appear that any tribesmen of importance attended.<sup>7</sup> This Assembly was advertised to be the second of a series, of which the first had been the Jalalabad jirgas,<sup>8</sup> but this seems to have been merely official propaganda, put out to camouflage—

(1) the special object of the Jalalabad jirgas, *viz.*, the maintenance of Afghan influence on the British side of the line, and

(2) the change of venue, made perhaps in deference to the British Minister’s objections, from the Frontier to Kabul.

The Great Assembly was in fact different in character and aims from the Jalalabad jirgas, and was intended to allow of a sort of referendum on the Amir’s policy to representatives of the Afghan nation, to which the proclamation regarding the Assembly was addressed.<sup>9</sup>

In any case, the removal of such assemblies or jirgas from the Frontier to Kabul was advantageous from the British point of view.<sup>10</sup>

In September, reports were received that British tribesmen were being invited to Jalalabad by the Governor, to assist the Afghan Government against the rebels. The matter was represented informally to the officiating Foreign Minister on September 9.<sup>11</sup>

This was followed up on September 30 by a formal protest.<sup>12</sup>

At an interview between the British Representative and the officiating Foreign Minister on October 4, it was ascertained that a certain number of British tribesmen, notably Afridis, were serving with the Afghan ‘alijaris’ in Khost.<sup>13</sup>

<sup>1</sup>Kabul tel. 204 (28-12-1923) (A. S. XI, 193).

<sup>2</sup>Kabul tel. 80 (4-4-1924) (A. S. XIV, 30).

<sup>3</sup>Tel. 5 (4-1-1924), from N. W. F., to G. of I. (A. S. XI, 266).

<sup>4</sup>Kabul despatch 50 (8-4-1924) (A. S. XIV, 79).

<sup>5</sup>Kabul memo. 407 (28-6-1924) (A. S. XV, 121).

<sup>6</sup>Ch. XIX.

<sup>7</sup>Ex. letter 3674 (18-11-1924) from N. W. F. to G. of I. (A. S. XVII, 8).

<sup>8</sup>Kabul despatch 69 (24-5-1924) (A. S. XIV, 293).

<sup>9</sup>Kabul tel. 113 (24-5-1924) (*ibid* 290).

<sup>10</sup>Tel. 988 (29-5-1924) from Viceroy to S. of S. (*ibid* 300).

<sup>11</sup>Kabul memo. 735 (9-9-1924) (A. S. XVI, 107).

<sup>12</sup>Letter 828 (30-9-1924), from C. d’A., Kabul, to Af. For. Min. (*ibid* 206).

<sup>13</sup>Kabul memo. 883 (10-10-1924) (*ibid* 237).

It was suggested that, if tribesmen could not be prevented from attending in answer to such a summons, efforts should be made to ensure that—

- (1) rifles should not be issued to them,
- (2) they should not be invited to Afghan victory celebrations.<sup>1</sup>

This suggestion was accepted by the Government of India, who announced their decision to punish any tribesmen who obeyed a summons from Afghan officials.<sup>2</sup>

In November 1924 the Afghan Foreign Minister agreed to issue orders that British tribesmen should not be summoned to partake in any victory celebrations which might be held after the suppression of the Khost rebellion.<sup>3</sup>

These orders however, if issued, were not strictly obeyed :—

"The Amir's dealing with Turis, Afridis, and Mohmands, during his recent visit to Jalalabad require fuller description and comment. A few days after the Amir's arrival in Jalalabad Shahgassi Ali Ahmad Khan.....made a triumphal entry.... There is considerable discrepancy in the various estimates of the number of British tribesmen who were present. It is probable that the numbers were not actually in excess of the following figures although much higher estimates have been reported—Afridis 600, Mohmand 150, Turis 250 ..... Apart from these public parades and receptions, the Amir is reliably reported to have given private interviews to the chief Afridi leaders (1) Mullah Said Akbar (2) Said Almar and (3) Said Badshah, to each of whom he presented a reward of Rs 1 000 Kabuli . . . . Nearly all the Afridis and Mohmands were then told to return to their homes, with the exception of a few who insisted on going with the Shahgassi to Kabul, in order to obtain further rewards. The Turis of the Kurram were said to have been particularly well treated by the Shahgassi, and were brought by him to Kabul for his triumphal entry on the 29th April. On the whole, it may be said that the Amir's treatment of British tribesmen who had assisted him in suppressing the rebellion was not marked by undue generosity .....or by manifestations of a really objectionable character"<sup>4</sup>

The 'Independence' celebrations of 1925 were held in August and the Minister reported :—

'It was freely rumoured that the Amir had issued instructions broadcast to British tribesmen to attend..... This seems unlikely, and in any case very few attended.'<sup>5</sup>

In 1926 the Amir gave the Minister a personal assurance that 'when he visited Jalalabad, he would not hold a darbar of British tribesmen.'<sup>6</sup>

In September of that year, a warning was given to the Afghan Foreign Minister regarding interviews granted by the Governor of Jalalabad to Afridis.<sup>7</sup>

In October the Minister spoke of—

'more than one instance.....in which British tribesmen, previously in receipt of Afghan allowances, have been sent back empty handed from their usual pilgrimage to the nearest Afghan official.'<sup>8</sup>

In November some Afridis, who had been in Kabul since July, were dismissed and granted moderate rewards.<sup>9</sup>

**494. Proposals for action by British authorities.**—As regards the advisability of a definite demand being made on this subject, and the action which might be taken by British Frontier authorities to discourage the attendance of tribesmen at Afghan jirgas or assemblies, the principles involved are identical with those which underlie the question of such action in regard to the Afghan allowances.

<sup>1</sup>Kabul tel. 192 (29-9-1924) (A. S. XVI, 166).

<sup>2</sup>Tel. 1621 (17-10-1924), from G. of I., to C. d'A., Kabul (*ibid* 248).

<sup>3</sup>Kabul tel. 198 (5-11-1924) (*ibid* 281).

<sup>4</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>5</sup>Kabul despatch 70 (29-8-1925) (*ibid* 295).

<sup>6</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>7</sup>Kabul memo. 527/1 (13-9-1926) (*ibid* 210).

<sup>8</sup>Kabul despatch 111 (20-10-1926) (*ibid* 279).

<sup>9</sup>Kabul memo. 527 (13-11-1926) (*ibid* 284).

'There is no difference in aim or character between this and the other manifestations of the Amir's 'irredentist' policy towards the 'independent' tribes, and..... the attitude of His Majesty's Government towards all of these must be governed by the same general considerations. .... It would be idle.....to expect the total cessation of such intrigues, until the Amir is convinced by experience that they are useless..... A formal protest is nevertheless, in my opinion, advisable in order to show that His Majesty's Government will no longer countenance the continuance of such activities, while in the case of those which depend largely for their success on their publicity, such as the summoning of British tribesmen to assemblages in Afghan territory, a more tangible effect might be produced.'<sup>1</sup>

In this connection the Agent to the Governor General in Baluchistan remarked :—

'It is difficult to see how the summoning of tribesmen to official meetings with the Amir or his officers can be defended, in view of Articles I and II of the Treaty. Even if the practice has continued unchecked for many years the Treaty is of recent origin.'<sup>2</sup>

The Chief Commissioner, N. W. F. P., did not deal with the point separately from the general question of Afghan intrigue on the British side of the line, and considered that in this connection 'formal demands for complete non-interference and respect for our sovereign rights on our side of the Durand Line' should be made in any negotiations for a new treaty.<sup>3</sup>

He considered that the Jalalabad jirgas of 1923 were 'probably from a juristic point of view.....a breach of Articles I and II of the present Treaty.'<sup>4</sup>

The Resident in Waziristan wrote :—

'A mistake is liable to arise if we consider this question as one merely of 'summoning' our tribesmen..... It is only too easy for the Afghans to evade the intention of any restrictions on unfriendly demonstrations of this type, if we lay stress on the act of 'summoning'. The offensiveness of these official meetings lies not so much in the fact that our tribes are deliberately invited. ..... as on the fact that the Afghans studiously encourage the idea among our tribes that they can count with certainty on a welcome from the Amir, whenever they are at loggerheads with us..... We may ask ourselves what the Amir would do in this matter if he really were determined to show his friendliness towards us. He would undoubtedly refuse either to see our tribes himself, or to allow his high officials to do so. He would dismiss our tribes, either with the minimum of 'expenses', or with none at all.'<sup>5</sup>

This was in fact the line taken by the British Minister with the Amir<sup>6</sup> on April 3, 1924.

<sup>1</sup>Kabul despatch 56 (4-12-1923) (A. S XI, 40).

<sup>2</sup>Memo 17 (16-1-1924), from Baln. to G. of I. (A. S XII, 152).

<sup>3</sup>Letter 402 (4-2-1924), from N W F. to G. of I. (A. S XIII, 13).

<sup>4</sup>Ex letter 10 (3-1-1924), from N. W. F. to G. of I. (A. S. XI, 263).

<sup>5</sup>Memo 15942 (11-1-1924) from Waz. to G. of I. (A. S. XII, 102).

<sup>6</sup>Para. 474.

## CHAPTER XXV.

### THE AMIR AND THE CALIPHATE.

495. During the eclipse of Turkey —The possibility that the Amir might lay claim to the Caliphate was considered even in the time of Habibullah :—

‘ A federation of Moslem States, Afghanistan, Persia, Bokhara, Turkestan, with the Amir of course as Sultan, or even as Khalifa, is quite possibly among the Amir’s dreams<sup>1</sup>. ’

At the Rawalpindi Conference Sir H. Grant gained the impression that the ‘Afghans’ desire for sovereign independence was probably ‘connected with a desire for the Khalifate’, and about the same time S. Abdul Quddus wrote to Sir H. Dobbs :—

‘ The first point for determination is to whom does the right of the Khilafat belong. The foregoing statements show that the Amir has a prior claim. Turkey lost her claim after the separation of the Balkan States, and because she now has a constitutional Government and parliamentary laws<sup>2</sup>. ’

The Amir’s letter of January 14, 1920, to His Majesty the King on the Khilafat question<sup>3</sup> seemed to indicate pretensions to speak on behalf of Islam as a whole.

In May Sir H. Dobbs telegraphed from Mussoorie :—

‘ Tarzi is openly advocating amongst his entourage that way should be prepared for acknowledgment of Amir as Khalifa, since he considers Turkey past praying for<sup>4</sup>. ’

In July a report was received that the Amir had informed the Kirghiz—

‘ that he is sole hand of Islam, and that they must support him in everything he calls on them to do<sup>5</sup>. ’

The Government of India discussed the question in a telegram of November 2, 1920, to the Secretary of State :—

‘ We can no longer afford to neglect possibility of Amir being elected..... We believe that bitterness of Moslem extremists in India, like Shaukat Ali, is such that they would accept election of Amir..... It is unnecessary for us to point out grave situation for India which Amir’s election might bring about, and it seems desirable to take any steps possible to avert this..... Candidature of Amir..... is most immediate potential danger to India<sup>6</sup>. ’

The Baku Congress of 1920 was reported to have discussed the separation of the Sultanate and Khilafat, and to have decided to offer the latter to the Amir<sup>7</sup>.

Another report ran :—

‘ On 19th November after prayers in Juma Masjid, Kabul, Hazrat Sahib of Shor Bazar delivered an address to effect that Amir, being sole independent Musalman ruler left, was now head of Islam, and that the Musalman world should salute him as Khalifa. Congregation was then addressed by Barkatulla who agreed with this sentiment. Amir and officials, though present, remained silent. On 23rd November during a Darbar attended by Jemal Pasha and all leading civil and military officers, and also by Barkatulla and Abdul Rab, Amir proscribed pamphlet written by latter on Khilafat question, saying that he did not intend to join in intrigues against British Government, which he regarded as likely to lead to the downfall of Afghanistan<sup>8</sup>. ’

The third article of the Turco-Afghan Treaty of March 1, 1921, recorded the admission by Afghanistan of the leadership of Turkey, who held ‘in her hands the standard of the Caliphate<sup>9</sup>. ’

<sup>1</sup>Minute by Sir D. Bray (22-2-1919) (Progs. Oct. 1920, n. p 5).

<sup>2</sup>Tel. 26 (29-7-1919), from Ch. Br. Rep., to G. of I. (*ibid* 758).

<sup>3</sup>Tel. 23 (1-5-1920), from Ch. Br. Rep., to G. of I. (*ibid* 456).

<sup>4</sup>Letter 2 (14-1-1920) (*ibid* 346) and see letter 15 (23-2-1920), from Amir to Viceroy (*ibid* 356).

<sup>5</sup>Tel. 27 (2-5-1920), from Ch. Br. Rep., to G. of I. (*ibid* 460).

<sup>6</sup>Tel. 84 (5-7-1920), from P. A. Gilgit, to G. of I. (A. S. IV, 575).

<sup>7</sup>Tel. 1276 (2-11-1920), from Viceroy to S. of S. (*ibid* 658).

<sup>8</sup>Tel. 1348 (24-11-1920), from Viceroy to S. of S. (*ibid* 677).

<sup>9</sup>Tel. 1416 (11-12-1920), from Viceroy to S. of S. (*ibid* 689).

<sup>10</sup>Para. 720.

This attitude accords with a statement said to have been made by S. Muhammad Wali in an interview given to the 'Rappel' of Paris in June 1921 :—

'Never have the nations of the Amir maintained the slightest pretension to the dignity of the Khilafat. On the contrary we have never ceased to hold, like all other Musalman people, that it continues to belong entirely by right to Turkey.'<sup>1</sup>

Anti-British propaganda in Iraq, apparently in a religious guise, was reported to be going on in the Amir's name in June 1921<sup>2</sup>, and clause 14 of the 'exclusive' draft Treaty provided against 'religious propaganda in India' by the 'Afghan Government'.<sup>3</sup>

A telegram from Kabul indicated that the delay in the ratification of the Turco-Afghan Treaty, which did not take place until October 20, 1922,

'was due to reluctance of Amir to admit spiritual suzerainty of Turkey, as affirmed by Article 3 ..... Paterno quoted as his authorities Fakhri Pasha and Bedri Bey, and said that only recent Kemalist victories had induced Amir to abandon his dream of claiming position of Caliph.'<sup>4</sup>

**496. During the Turkish recovery.**—In December 1922 Sir F. Humphrys reported :—

'So far the separation of the temporal from the spiritual power of the Khalifa has excited no outward criticism. The name of Abdul Majid is being read by order in the *Khutba* in all mosques in Afghanistan.'<sup>5</sup>

In July 1923, the Secretary of State telegraphed to the Minister :—

'Are prayers previously offered for Sultan as Caliph omitted, or used for new Caliph appointed by Angora, and is present incumbent generally recognised by Moslem community? Please report by despatch.'<sup>6</sup>

Sir F. Humphrys in reply mentioned the evidence<sup>7</sup> available on the question, and continued :—

'By the ratification of the Treaty with Angora, and the use of Abdul Majid's name in the *Khutba*—the only prayer offered for the Caliph in this country—the Afghan Government have publicly endorsed the appointment made by the Angoran Government.. . .

It would of course be vain for the Amir to hope that his candidature would ever be accepted by the whole of Islam. .... the gradual consolidation by Great Britain and Russia of their authority, among the Pathan and Turkoman tribes respectively, would threaten his existence as a factor of any importance in international politics, and should he fail to maintain his influence beyond his own frontiers by other means, the temptation to do so by a dramatic assumption of the rôle of Caliph—if only of the Further East—might prove too strong for him to resist. The opportunity for the realisation of this dream has not and may never come, but it would be premature to conclude that the Amir has definitely abandoned his hopes.'<sup>8</sup>

An inscription on the turban worn by Amanulla on his accession had been mentioned in this despatch, and Sir F. Humphrys modified the latter by telegraphing :—

'It seems that in inscription on Amanulla's turban word 'Khilafat' may merely mean succession to throne, and not 'Caliphate' proper. Instances are, however, cited by Malleson and Ferrier in their histories, of assumption of title of 'Commander of the Faithful' by previous Amirs.'<sup>9</sup>

**497. After the abolition of the Caliphate.**—The abolition of the Caliphate aroused little more public interest in Kabul than had been displayed in regard to the separation of the temporal and spiritual power :—

'Caliphate. Abdul Majid's deposition officially recognised by omission of his name from Friday prayers, on March 14 at Jalalabad, and on March 21 at Kabul. No public interest apparent. It has not yet been ascertained what is Amir's attitude towards abolition of Caliphate.'<sup>10</sup>

<sup>1</sup>Paris despatch 1943 (5-7-1921) (A. S. VI, 92).

<sup>2</sup>Tel. 812 (29-6-1921), from Baghdad, to G of I (A. S. V, 453).

<sup>3</sup>Tel. 242 (9-8-1921), from Br Rep., Kabul, to G of I. (A. S. VI, 114).

<sup>4</sup>Kabul tel 107 (1-10-1922) (F. 572, 2) and see Kabul despatch 13 (4-11-1922) (*ibid.*, 6).

<sup>5</sup>Kabul tel 140 (20-12-1922) (F. 228-X, 158).

<sup>6</sup>Tel. 46 (30-7-1923), from S. S. F. A., to Min. Kabul (A. S. VIII, 146).

<sup>7</sup>(Quoted above).

<sup>8</sup>Kabul despatch 24 (14-8-1923).

<sup>9</sup>Kabul tel. 181 (2-9-1923) (A. S. VIII, 229-A.).

<sup>10</sup>Kabul tel. 75 (22-3-1924) (A. S. XI, 261).

• On April 3 the Amir gave Sir F. Humphrys an audience :—

— He then touched on the Caliphate question, and said that he thought the Turks had played their cards very badly. The spirit of nationalism, he said, had taken a strong grip on all the countries of the world, and national 'churches' of Islam would probably be the result of the action of the Turks in abolishing the Caliph's office (I have since been told by the Turkish Minister that the Amir is intrigued with the idea of being proclaimed Caliph for Central Asia, Afghanistan, and Mahomedan India.<sup>1</sup>).

• On March 18, 1924 the 'Aman-i-Afghan' published an article—certainly inspired on the abolition of the Caliphate, and the resulting situation in Islam.

— The reason for the abolition of the Caliphate was stated as follows :—

' Among these liberators were some who had a strong tendency towards the imitation of Europeans, and considered that at the present day religion and administration are mutually opposed to each other, and impossible to reconcile. They find the reason for the decline of the Ottoman Government in its connection with religion, and the Caliphate, and its conservatism in matters of administration. This party determined at the first opportunity to pull up the old Government by the roots, and to form a new one which, externally, internally, and in all its rules and organisation should conform to the model of present European States . . . . They determined by modelling themselves on Europeans to leave the latter no opportunity to upbraid the Turks with their subservience to religious obligations and laws, or with their ignorance of the principles of civilised European government of the present day—chances which the Europeans used as a means of obtaining special concessions for themselves . . . .'

The article concluded :—

' Sherif Hussein, the King of Egypt, and His Majesty the Ghazi Amir Amanullah Khan have all three been considered as possible candidates for the Caliphate. Perhaps others have also considered the Senussi Sheikh, or Amir Abdul Karim, or Imam Yahya, in this connection, but it is obvious that a great Islamic question, which affects the whole people of Islam, cannot be solved and settled according to the views of any one section, or the decision of the people of a single country. The Caliphate is a matter common to all Islam, and the proper way for Moslems to settle the question is by holding a general Islamic conference of the general representatives of Islam, in a purely Islamic country, which is free both from external intrigues and from foreign influences . . . . It is essential to avoid haste in this matter ; the question must be decided with patience and full consideration.'

Sir F. Humphrys commented :—

' The article may in my opinion be taken as a guarded expression of the present views of the Amir and his advisers, and the suggestion that there is nothing inconsistent in the Head of a Constitutional monarchy being both a King and a Khalifa<sup>2</sup> acquires some significance in the light of the Amir's professed purpose of encouraging the development of constitutional government out of the traditional Afghan autocracy. The writer's insistence on the Caliphate Conference being held in a "purely Islamic country, which is free both from external intrigues and from foreign influences" will probably be regarded by readers of the article as a claim that Afghanistan should be the venue, since in Afghan eyes this country, and no other, possesses these qualifications.'<sup>3</sup>

— The year 1924, during which the Amir was hard put to it to vindicate his orthodoxy to his own subjects, clearly afforded no opportunities for the furtherance of his claims to the Islamic Caliphate, and, although these were reported to have been discussed in the Great Assembly of July, the subject aroused little interest in Kabul.—

' It is reported by a less good authority that question of appointment of Caliph was discussed. After a declaration of his own unworthiness, Amir stated his readiness to be nominated if that were the desire of his people. Mullahs' decision was accepted that Indian Moslem leaders must first be consulted.'

With the abolition of the Caliphate, Article 3 of the Turco-Afghan Treaty had become an obvious anachronism, and the orthodox party, taking advantage of the fact and of the unpopularity of the Turks arising from their connection with the Amir's reforms, passed a vote of censure in this Assembly on the Turkish Government for their 'action regarding the Caliphate.'<sup>4</sup>

**¶ 198. After the rise of Ibn Saud.**—After the conquest of the Hedjaz by Ibn Saud we hear no more of the Amir's possible candidature. The attendance of Afghan delegates at the Mecca Conference of June 1926 already mentioned<sup>5</sup> threw no light on the point, and it is difficult to form any definite conclusions as to the Amir's present intentions.

<sup>1</sup> Kabul despatch 50 (8-4-1924) (A. S XIV, 79).

<sup>2</sup> Cf. the views of S. Abdul Quddus—quoted above.

<sup>3</sup> Kabul despatch 54 (21-4-1924) (A. S XIV, 186).

<sup>4</sup> Kabul tel. 144 (4-8-1924) (A. S. XV, 213).

<sup>5</sup> See 289.

As has been seen, the idea of claiming the Caliphate seems, especially during the eclipse of Turkey, to have frequently been considered by him, and to have been rejected, at any rate until conditions were more favourable for its realisation. Then a succession of events—the recovery of Turkey, the Khost rebellion with the doubts which it advertised as to his own orthodoxy, and lastly the rise of Ibn Saud—has stood in the way of any aspirations he may have had in this direction. But if the Islamic Caliphate is beyond his reach, it still seems possible that he might declare himself a national Caliph on the lines suggested in Sir F. Humphrys' despatch of April 8, 1924<sup>1</sup>. In Afghanistan itself it would probably not be difficult for him to justify such a claim. The '*Imamat*' and '*Amarat*' have there a traditional connection, and history might be invoked in support of his action :—

'During the fifteenth century, and in the early part of the sixteenth century, there was in the Mohamedan world a state of things very much like the state of things at the present time ; that is to say anybody who cared could call himself Khalifah.....any Mohamedan potentate, big or small, may assume this title<sup>2</sup>'.

When the pretensions of Afghan 'irredentism' are taken into account, it becomes clear that India would be seriously affected by the success of such a claim, which would be calculated greatly to increase the diplomatic leverage exerted by the Amir on both the British and the Russian Governments. In these circumstances it is not easy to discover the reason for the Amir's hesitation, but it may perhaps be found in the strength of Turkish influence at Kabul. The Amir may argue that if Mustapha Kemal found the Turkish Caliphate an obstacle to progress on Western lines, an Afghan Caliphate, even if only 'national' in its claims, might be attended with similar drawbacks, and alienate both Russia and Great Britain, on whose continued good will the material welfare of Afghanistan depends.'

<sup>1</sup>Para. 497

<sup>2</sup>Sir Thomas Arnold (*Central Asian Socy Journal* 1924 XI, Part III).

## CHAPTER XXVI.

### REFUGEES.

#### SCHEME OF THE NOTE.

##### **A.—From Afghanistan to India.**

###### **499. (1) Political Refugees.**

- (i) Those Afghans who owe their presence in India to political developments, for which the British Government has been in some degree responsible.
- (ii) Those whose presence in India is due to political developments in Afghanistan, or to personal reasons, with which the British Government has had nothing to do.
- (iii) Those expelled by order of the Afghan Government.

##### **B.—From India to Afghanistan.**

- (i) Those persons, domiciled on the British side of the line, who owe their presence in Afghanistan to political developments, for which the Afghan Government has been in some degree responsible :—
  - (a) The *Muhajirin* proper.
  - (b) The Indian Revolutionaries.
  - (c) The colonies of British tribesmen, who have been granted land in Afghanistan.
  - (d) The deserters from the Frontier Militias, who were enrolled in the Khost Militia.
- (ii) Those who owe their presence in Afghanistan to political developments, or to personal reasons, with which the Afghan Government has had nothing to do.
- (iii) Those expelled by order of the Government of India.

###### **(2) Heinous Criminals.**

500. **The attempt to lay down a principle**—The principles of treatment by the Indian and Afghan Governments respectively of refugees from the territory of the other are emerging gradually from particular cases, and are not covered by any comprehensive agreement on the subject. The subject was frequently raised in the course of the negotiations antecedent to the Kabul Treaty of 1921, but in that Treaty is not mentioned at all.

Sir H. Dobbs' letter of December 1, 1921 indicated the expectations of His Majesty's Government in this particular :—

' Each Government should prevent..... all action within its boundaries which may tend to stir up strife or produce enmity against the other Government within the boundaries of the latter, whether such action is by its own subjects, or by refugees from the territory of the other Government'

S. Mahmud Tarzi's reply on the point merely stated :—

' Severance of religious intercourse and national ties is impossible.'<sup>1</sup>

#### 501. (1) Political Refugees.

##### A.—From Afghanistan to India.

Under this head may be included :—

(i) those Afghans who owe their presence in India to political developments for which the British Government has been in some degree responsible, such as Sardars Ayub and Yakub Khan and their descendants.

Many of these receive pensions from the Government of India, who in practice recognise an obligation to ensure, as far as possible, that such persons do not use India as a base for activities hostile to the Amir, or re-enter Afghanistan without the Amir's permission.

The charge of these persons, who number over 1,000, is a burdensome responsibility, from both the financial and the political standpoint, and the fact has been brought to the notice of the present Amir.<sup>2</sup> The question of British responsibility for them came into practical prominence when Sardars Abdulla Khan and Abdur Rahman Khan were arrested on the frontier, while attempting to escape to Afghanistan in order to put themselves at the head of the Khost rebellion,<sup>3</sup> and when Abdul Karim son of the Ex-Amir Yakub Khan carried out a similar plan with success<sup>4</sup>.

The responsibility resting on the Government of India for the safe keeping of such refugees, although not an explicit treaty obligation, would presumably be admitted to be implied in the observance of neighbourly relations. The escape of Abdul Karim caused the Afghan Government an immense amount of political and material damage,<sup>5</sup> but although hints were given in the Afghan press of a demand for an indemnity,<sup>6</sup> such a demand was not actually made, and, if it had been, presumably would not have been considered. A request for the extradition of Abdul Karim was made by the Amir, but was refused on the ground that there was no extradition treaty between India and Afghanistan.<sup>7</sup> It was also noted that, even if an extradition treaty were concluded, it would presumably only apply to ordinary criminals, and not to political refugees such as Abdul Karim.<sup>8</sup> The Afghan Government then offered, as a special case, to surrender Ajab Khan the Kohat murderer, in return for Abdul Karim, thus slurring the distinction between 'political refugees' and 'heinous criminals'. (Classes 1 and 2 above). This offer was also refused.<sup>9</sup>

Abdul Karim on re-entering India was arrested as an act of the State,<sup>10</sup> and finally, as a matter of political expediency, interned in Burma, where he committed suicide.<sup>11</sup>

In March 1927, on receiving a report that a son of S. Muhammad Ayub Khan had been invited to Kandahar to lead a rising against the Amir, the Gov-

<sup>1</sup>Para. 192.

<sup>2</sup>Kabul tel 165 (27-8-1924) (A. S. XVI, 16).

<sup>3</sup>Tel. 1211 (30-4-1924), from N.W.F., to G. of I. (A. S. XIV, 153).

<sup>4</sup>Tel. 1221 (31-7-1924), from G. of I., to C. d'A., Kabul (A. S. XV, 192).

<sup>5</sup>Kabul tel 12 (14-2-1925) (A. S. XVII, 124).

<sup>6</sup>Kabul despatch 12 (14-2-1925) (*ibid*, 160).

<sup>7</sup>Kabul memo. 287 (29-9-1924) (A. S. XVI, 203).

<sup>8</sup>*Vide* the Perso-Afghan Treaty Article 7 (para. 722) and Kabul tel 10 (21-1-1925) A. S. XVII, 119.

<sup>9</sup>*Ibid.*

<sup>10</sup>Tels. 1543 (3-10-1924) and 1567 (9-10-1924), from G. of I., to N.W.F. (A. S. XVI, 185 and 210).

<sup>11</sup>(A. S. XXI, 252).

ernment of India ordered a careful watch to be kept on the more important refugees.<sup>1</sup>

502. (ii) Those whose presence in India is due to political developments in Afghanistan, or to personal reasons with which the British Government has had nothing to do.

Under this head may be classed the bodies of rebel Mangals who on seeking refuge in the North-West Frontier Province in 1912 were disarmed, and given 'the option of deportation to India, or of returning to Afghanistan by the Khyber or Gomal routes, and receiving back their arms at the Frontier.'<sup>2</sup>

Under this head come also the rebels from Khost who, in 1924 and 1925, sought refuge in the North-West Frontier Province. These in the circumstances had no claim whatever on the Government of India, who refused to give them even an allowance for subsistence.<sup>3</sup> The disposal of them was however a matter of some difficulty.

On May 26, the British Representative at Kabul had telegraphed :—

'Official letter from Afghan Foreign Office has been received by me saying that party of Mangal rebels, together with some Katawaz maliks, have crossed the frontier into British territory with arms taken from Afghan posts. Letter contains request for their disarmament and despatch to suitable locality far from border, and for return of arms to Afghan officials on receipt of details from Afghan Government. It is also requested that British frontier authorities should show no favour to these refugees.'<sup>4</sup>

The Government of India's reply was :—

'Afghan Foreign Minister may be informed by you that instructions have been sent to local authorities to comply with his request, though no intimation of refugees has reached Indian authorities. Opportunity to make capital out of this, with reference to clearly analogous case of Wazir and Mahsud refugees, will no doubt occur to you. Important thing is officially to register, as proper practice between two friendly neighbours, Amir's official request and our official compliance. Return of Afghan Government arms only is presumably requested.'<sup>5</sup>

The Afghan Government were informed accordingly.<sup>6</sup> In December some 350 Muqbilis took refuge in the Kurram, and the Chief Commissioner suggested that, unless and until the Afghan Government objected, they might be allowed to remain in the Valley on giving security for good behaviour.<sup>7</sup>

The Minister who had already informed the Afghan Government that 'deportation on large scale is open to gravest objections' agreed, provided that no maintenance was given to the refugees.<sup>8</sup>

The Government of India also agreed, provided that the Minister was satisfied that the course of action proposed would not 'prejudice our policy of following correct procedure, as a means of gradually inducing Afghanistan to follow suit'.<sup>9</sup>

The Minister in a letter to the Government of India dated January 10, 1925 discussed the whole question, enumerating the bodies of refugees which appeared in fact to have arrived within the British border, discussing the surrender to the Afghan Government of the rifles brought with them by these refugees, and suggesting a departure from the precedent of 1912. He pointed out that :—

'The vital desiderata appear to be temporary disarmament, and the taking of security that they will not use their place of refuge as a base of hostile operations against the Amir's troops..... .the eventual disposal of such refugees does not appear to be susceptible to systematic treatment without reference to the numbers and composition of the party, or to the internal situation of Afghanistan at the time.'<sup>10</sup>

In writing to the Afghan Foreign Minister he said :—

'As regards deportation, Your Excellency's request mentions 80 persons by name with 140 unarmed adherents..... I can request my Government to deport to the interior of India the important ringleaders up to, say, six or eight persons..... .The policy which my Government have hitherto adopted in dealing with any refugees arriving from Afghanistan is to ensure that they deposit their arms in safe custody and furnish security that

<sup>1</sup>(A. S. XXI, 98).

<sup>2</sup>Kabul letter 681 (10-1-1925) (A. S. XVII, 107)

<sup>3</sup>Tel. D-4-F. (4-1-1925), from G. of I., to N.-W. F. (*ibid*, 76).

<sup>4</sup>Kabul tel. 174 (26-5-1924) (A. S. XIV, 288).

<sup>5</sup>Tel. 986 (28-5-1924), from G. of I., to C d'A., Kabul (*ibid*, 298).

<sup>6</sup>Kabul letter 115 (2-6-1924) (A. S. XV, 43).

<sup>7</sup>Tel. 581 (29-12-1924), from N.-W. F., to G. of I. (A. S. XVII, 62).

<sup>8</sup>Kabul tel 1 (2-1-1925) (*ibid*, 71).

<sup>9</sup>Tel. 17 (14-1-1925), from G. of I., to Min., Kabul (*ibid*, 75).

<sup>10</sup>Kabul letter 681 (10-1-1925) (*ibid*, 107).

they will not make use of British territory as a base of operations against the Afghan Government. I feel sure that Your Excellency will agree that the procedure which I have indicated... . is in strict accordance with the neighbourly and friendly relations '<sup>1</sup>

It might have been argued that this procedure was not in strict accordance with the undertaking which the British Representative had given on the authority of the Government of India in his letter of June 2, 1924<sup>2</sup>, and on April 15, 1925 the Amir complained that :—

' Promise given. . . for return of Government arms had not been fulfilled, nor had any rebel chiefs been deported to distance from the frontier.'<sup>3</sup>

Meanwhile discussions had been going on as to whether the letter of June 2 meant that ' all arms taken from rebel refugees which are proved to have been captured from Afghan Government will be handed back to Afghan officials', or that the reference was only to ' arms taken on specific occasions by specific persons exact description of all of which could be given by Afghan Government.'<sup>4</sup> The latter view was stated by the Government of India to have been their intention.

'The action which the Chief Commissioner, N -W. F. P., was directed to take was :—

- ' (1) Arrest six ringleaders Punjab Government will be consulted by us regarding their future location.
- (2) Announce definitely, as proposed, that all apparent Afghan Government arms will be held up and searching enquiries instituted.
- (3) Engage Ghilzais and refugees in discussion of general arms question, and institute enquiries into hostility of different sections.
- (4) By means of jirgas called for the above discussions, impress on all that Government object to rebellion . . . and wish them to make peace with Amir.'<sup>5</sup>

On April 10 Abdul Karim Suleman Khel one of the six refugee leaders, whose deportation had been promised, was released by a mistake,<sup>6</sup> the seriousness of which was noticed by His Majesty's Government.<sup>7</sup>

In April a complaint was received from the Afghan Government, alleging that some rebel refugees had been granted subsistence allowance by the Frontier authorities,<sup>8</sup> but the statement was found to be incorrect.<sup>9</sup>

On May 20 the Minister reported :—

' Foreign Minister informed me yesterday that owing to excellent arrangements which had been made on both sides of border it was generally believed that situation was well in hand'; but that the deportation of two leading Mangal rebels, Zalmai and Sanak, had been requested, failing the arrangement of a settlement by them with the Governor of Khost.<sup>10</sup>

These two men were then deported to Abbottabad, and paid ' bare subsistence allowance '.<sup>11</sup>

The deportation of two more rebels, Karim Mirki and Sarwar Khan, was then requested.<sup>12</sup>

Of these Karim Mirki was found to be identical with Abdul Karim Suleman Khel, who had already been released;<sup>13</sup> and as the other was indigent and ill it was thought sufficient to take security for his presence when required.<sup>14</sup>

In August ' all Afghan rebel détenus were released on bail '.<sup>15</sup>

The Afghan Government then agreed to the release of all Ghilzai détenus without bail, but asked that Sanak and Zalmai should be kept at a distance from the Frontier, until a settlement had been reached with the Mangals.<sup>16</sup>

<sup>1</sup>Kabul letter 1077 (27-11-1924) (*ibid*, 107).

<sup>2</sup>See above.

<sup>3</sup>Kabul tel. 48 (20-4-1925) (A. S. XVII, 294).

<sup>4</sup>Kabul tel. 6814 (23-3-1925) (*ibid*, 238), and memo. 314 (28-3-1925), from G. of I to Min. Kabul (*ibid*, 248).

<sup>5</sup>Tel. 301 (19-3-1925), from G. of I, to N.-W. F. (*ibid*, 230).

<sup>6</sup>Tel. 473 (10-4-1925), from Res., Waz., to N.-W. F. (*ibid*, 267).

<sup>7</sup>Tel. 1248 (27-4-1925), from S of S, to Viceroy (*ibid*, 303).

<sup>8</sup>Kabul tel. 46 (15-4-1925) (*ibid*, 275).

<sup>9</sup>Ex. letter 1375 (10-5-1925), from N.-W. F., to G. of I (A. S. XVIII, 46).

<sup>10</sup>Kabul tel. 63 (20-5-1925) (*ibid*, 67).

<sup>11</sup>Tel. 62 (26-5-1925), from N.-W. F., to G. of I. (*ibid*, 77).

<sup>12</sup>Kabul memo. 68-16 (6-6-1925) (*ibid*, 103).

<sup>13</sup>Kabul memo. 68-17 (9-7-1925) (*ibid*, 188).

<sup>14</sup>Memo. 1763 (6-7-1925), from N.-W. F. P., to G. of I. (*ibid*, 176).

<sup>15</sup>Tel. 1020 (25-8-1925), from G. of I, to N.-W. F. P. (*ibid*, 273).

<sup>16</sup>Kabul tel. 68/22 (28-8-1925) (*ibid*, 281).

In November Abdul Karim Suleman Khel was rearrested, and his detention was ordered if he could not furnish security that he would not use British territory as a base for hostile action against Afghanistan.<sup>1</sup>

At the same time Sanak and Zalmai were released with the concurrence of the Afghan Government.<sup>2</sup>

Another case of this class was that of the Gurbaz, who, after a collision with Afghan troops, fled to the British side of the line in May 1927.

The Resident in Waziristan reported receipt of a letter from the Governor of Khost requesting the arrest of the Gurbaz and their removal from the vicinity of the boundary. The Resident said he was summoning the Gurbaz maliks, and proposed :—

'To take heavy security from them not to use British territory as a base from which to commit any offence in Afghan territory, and to advise them strongly to make settlement with Afghan Government.'<sup>3</sup>

The maliks were ordered to give security accordingly or else to return to Afghanistan. They chose the latter alternative.<sup>4</sup>

Of those who have taken refuge in India for more or less private reasons, S. Muhammad Umar Jan the uncle of the Amir is a leading instance, and his case requires brief notice.

In December 1924 the Minister granted a *visa* to S. Muhammad Umar Jan 'who is taking his family to India for medical treatment'.<sup>5</sup>

On his arrival in India the Sardar refused to return declaring that he feared for his life and making various allegations against the Amir. The Minister suggested that he was really actuated by 'desire for untrammelled life of ease and sport' and recommended that asylum and assistance should be refused.<sup>6</sup>

The Amir asked that no help should be given him, and declared that he would then soon return to his country.<sup>7</sup>

The Minister pointed out that if the Government of India gave a regular allowance to the Sardar it would form 'a precedent which will be used to India's disadvantage', and the Secretary of State noticed the distinction between him and refugees of class (i) 'whose presence in India is due directly or indirectly to British intervention in Afghan affairs'.<sup>8</sup>

S. Muhammad Umar then asked permission to 'try his luck' with the Nizam of Hyderabad, and the Government of India after consulting the Resident offered no objection to this proposal.<sup>9</sup>

The Minister, however was not in favour of it.<sup>10</sup>

The Secretary of State agreed that the Sardar could not be prevented from applying to the Nizam, but thought it very desirable that he should not be given any kind of assistance by the Government of India.<sup>11</sup>

In March 1926 S. Muhammad Umar Jan returned to Kabul.<sup>12</sup>

**503. (iii) Those who are expelled by order of the Afghan Government.**—In this category comes Shaikh Abdulla Muhammad, father-in-law of S. Muhammad Umar Jan. This man was given

'a farman from the Foreign Minister.....declaring that he is not an Afghan subject, and expelling him from Afghanistan, because of his relationship with S. Muhammad Umar Jan who has chosen to flee and has taken up his residence in India'.<sup>13</sup>

<sup>1</sup>Tel. 1423 (12-11-1925), from G. of I., to N.-W. F. (A. S. XIX, 87).

<sup>2</sup>Tel. 1429 (13-11-1925), from G. of I., to N.-W. F. (*ibid*, 88).

<sup>3</sup>Tel. 121 (8-6-1927), from Waz., to N.-W. F. (A. S. XXI, 293).

<sup>4</sup>Letter from P. A. N. Waz., to Governor Khost (27-6-1927) (A. S. XXII, 40) (and see A. S. XXII, 80).

<sup>5</sup>Kabul tel. 444 (14-12-1924) (A. S. XVII, 45-A.).

<sup>6</sup>Kabul tel. 2 (2-1-1925) (*ibid*, 71-A.).

<sup>7</sup>Kabul tel. 47 (16-4-1925) (*ibid*, 282).

<sup>8</sup>Kabul tel. 51 (27-4-1925) (*ibid*, 302).

<sup>9</sup>Tel 1259 (29-4-1925), from S. of S., to Viceroy (A. S. XVIII, 8).

<sup>10</sup>Tel. 466 (2-5-1925), from Viceroy, to S. of S. (*ibid*, 22).

<sup>11</sup>Kabul tel. 58 (9-5-1925) (*ibid*, 40).

<sup>12</sup>Tel. 1438 (19-5-1925), from S. of S., to Viceroy (*ibid*, 66).

<sup>13</sup>Kabul despatch 29 (15-4-1926) (A. S. XX, 6).

<sup>14</sup>Kabul tel. 35-6 (11-3-1925) (A. S. XVII, 206) and tel. 661 (13-3-1925), from N.-W. F. to G. of I. (*ibid*, 214).

The Government of India refused him permission to cross the border,<sup>1</sup> but owing to absence of effective barrier at Torkham<sup>2</sup> he arrived at Peshawar in spite of this prohibition.<sup>3</sup>

The Government of India's comments on this incident were :—

' In so far as general principle is concerned, Government of India suggest your considering tactics of bringing Afghan Government's impropriety home to them, by reminding them that there is large colony of Afghan subjects whose presence in India is inconvenient, and who, on this precedent, might at any moment be deported across the Afghan border.'<sup>4</sup>

The Minister pointed out that—

' threat of retaliatory deportations seems unlikely to produce desired results, since any Afghan refugees whom we might seek to repatriate without Amir's concurrence would be turned back at border '<sup>4</sup>

#### 504. B.—From India to Afghanistan.

(i) Those persons domiciled on the British side of the line who owe their presence in Afghanistan to political developments for which the Afghan Government has been in some degree responsible.—Under this head may be included :—

- (a) The *Muhajirin* proper.
- (b) The Indian revolutionaries.
- (c) The colonies of British tribesmen who have been granted land in Afghanistan.
- (d) The deserters from the Frontier Militias, who were enrolled in the 'Khost Militia'.

505. (a) The *Muhajirin*.—The *Hijrat* of 1920 has been mentioned.<sup>5</sup> Although the Khilafat agitation, by representing India as 'Dar-ul-harb', was primarily responsible for this movement, it was also encouraged, until it became a source of embarrassment, by the Amir, both in accordance with the Moslem custom of 'asylum' to a fellow religionist, and in pursuance of his general policy of supporting the Khilafatists.

Most of the genuine *Muhajirin* were of no importance, and soon drifted back to India. In 1923 there was reported to be a settlement of Pathans from Peshawar at Kunduz in Kataghan, and a smaller one of Sindhis in the neighbourhood of Balkh. The term *Muhajirin* was, however, loosely applied<sup>6</sup> by the Afghan Government to the other three classes of refugees, the revolutionaries, colonists, and deserters, to whom protection and encouragement could thus plausibly be given under cover of religious precepts.

506. (b) The Indian Revolutionaries.—The best known of these were Obeidullah, of 'silk letter' notoriety, whose messages as emanating from the 'Wazir of the Provisional Government of India' were intercepted during the Third Afghan War;<sup>7</sup> Barkatullah, who came to Kabul with Jemal Pasha in 1921;<sup>8</sup> Raja Mahendra Pratap a *sor-disant* preacher of the 'Gospel of love' whose activities in Afghanistan and eastwards are regarded as highly mischievous by the Government of India; Syed Ali Bokhari who resided in Kabul, and refused to have his hair cut until India is free; Mulla Bashir and Muhammad Hassan, B.A., intriguers in Waziristan; the Bajauri party, including Abdurrahman of Kotki and his attendant Ghulamo; the Swat party, comprising Maulvi Fazl Muhammad,

<sup>1</sup>Tel. 282 (12-3-1925), from G. of I., to Min., Kabul (A. S. XVII, 207).

<sup>2</sup>Tel. 13 (13-3-1925), from Min., Kabul, to G. of I. (*ibid*, 215).

<sup>3</sup>Tel. 290 (14-3-1925), from G. of I., to Min., Kabul, (*ibid*, 216).

<sup>4</sup>Kabul tel. 35-6 (24-3-1925) (*ibid*, 240).

<sup>5</sup>Para. 78.

<sup>6</sup>e.g., Kabul tel. 80 (4-4-1924) (A. S. XIV, 30).

<sup>7</sup>Para. 41.

For some particulars regarding his party and the 'Frontier Young Men's Moslem Association' see Progs., S. F., Aug. 1919, Appx. to Notes No. 88; and for the connection of his party with political assassination Progs., S. F., October 1919, 28.

<sup>8</sup>Para. 107.

his brother Muhammad Ayub of Battal, Abdurrahman Mehtarjao of Chitral ; Abdul Sattar of Teri and Abdul Aziz of Saidu ; and the ' Indian Military Party ', (' Jamiat-i-Askari-i-Hind ') consisting of Maulvi Fazl Rabbi ; Ghulam Muhammad Aziz and ex-Risaldar Rukn-ud-din, who held commissions under Jemal Pasha at Kabul ; Kemal-ud-din, an Adam Khel Afridi ; and others.

All these parties appear to be in correspondence with one or other of the fanatic colonies at Chamarkand and Samasta, and their members, receiving political and financial support it is believed from the Russian and Turkish Legations at Kabul,<sup>1</sup> have either lived in Afghanistan, or visited it freely.

After the Treaty of Rawalpindi one of the conditions laid down by the Government of India as precedent to the conclusion of a Treaty of Friendship was the exclusion of these revolutionaries from Afghanistan.<sup>2</sup> The demand for exclusion was subsequently, as has been seen, changed to one for control,<sup>3</sup> but no explicit agreement on the point was ever reached.

S. Mahmud Tarzi's letter of January 27, 1922 suggested justification of Afghan hospitality to these refugees, as inculcated by the Moslem doctrine of asylum.<sup>4</sup> A similar line had been taken by the Afghan delegates at Mussoorie, but on that occasion it had been hinted that this attitude might be modified if such modification was found to be politically advantageous.<sup>5</sup> In October 1922 most of the leading revolutionaries then in Kabul were required to leave.<sup>6</sup>

'The Amir's motive in taking this step, which aroused unfavourable comment in Indian Moslem papers, was doubtless not so much a desire to oblige His Majesty's Government as a realisation of the danger to Afghanistan involved by the presence of political malcontents in the pay of the Russian Legation.'

On October 19, 1923 a meeting was reported to have been held in Kabul, and the account of it published in the ' Partap ' of Lahore showed that some prominent Indian revolutionaries had attended, including Raja Mahendra Pratap, Syed Ali Bokhari, Maulvi Abdur Rab and others.<sup>8</sup>

As time went on these revolutionaries decreased in importance, owing partly to the collapse of the Khilafat movement, with a consequent improvement of the British position in the East generally and in Afghanistan in particular, and partly to the fact that, after the conclusion of the Kabul Treaty, their presence in Afghanistan, while exerting no diplomatic leverage on His Majesty's Government, merely tended to strain Anglo-Afghan relations.

The number of these revolutionaries in Kabul has been considerably reduced by departure, death<sup>9</sup> or arrest.<sup>10</sup>

**507. Policy in regard to the presence of Indian Revolutionaries in Afghanistan.**—The question was mentioned in the Kabul Treaty despatch of December 1923 as included in that of Bolshevik intrigue,<sup>11</sup> and its difficulty was pointed out by Sir F. Humphrys in Memo. 7 of January 5, 1924.<sup>12</sup>

'The question of political refugees is not a simple one, as those from other countries are, I understand, allowed admission to England, and a notorious agitator like Roy is apparently able to have his headquarters in a country such as Germany, which may presumably be regarded as amenable to pressure from England, and even able to visit the capital of an Ally, such as Rome, without any protest being made. Again, the question of political refugees is expressly excluded from the scope of the Perso-Afghan Treaty, and we still allow the Chamarkand and Samasta colonies to flourish in territory which is subject to our political control.'

A few days later he wrote :—

'In his negotiations for present treaty, Dobbs failed to settle principle. Natural result of fulfilment by Soviet of their treaty obligations and of estrangement between His

<sup>1</sup>e.g., Muhammad Bashir, editor of the ' Al Mujahid ', Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80) and Kabul tel. 81 (22-5-1927), (A. S. XXI, 231).

<sup>2</sup>Para. 87.

<sup>3</sup>Para. 95.

<sup>4</sup>Para. 192.

<sup>5</sup>Para. 95.

<sup>6</sup>Para. 227.

<sup>7</sup>Kabul despatch 2 (6-1-1923) (F. 456-F.).

<sup>8</sup>(A. S. IX 225).

Sir F. Humphrys' comments on this incident are given in Kabul memo. 370 (4-12-1923) (A. S. X, 80).

<sup>9</sup>e.g., Muhd. Ayub Khan of Battal.

<sup>10</sup>e.g., Ex-Risaldar Rukn-ud-Din.

<sup>11</sup>(A. S. XI, 40).

<sup>12</sup>(A. S. XII, 171).

Majesty's Government and Afghan Government would be return of revolutionaries. Pending negotiations for next treaty, only course seems to be to make it clear that, so long as revolutionaries receive employment and encouragement in Afghanistan, Afghan Government cannot expect closer relations with His Majesty's Government, and to protest formally against any particularly dangerous activity on the part of revolutionaries.<sup>1</sup>

During the Anglo-Afghan crisis of 1923-24 however the Chief Commissioner, N.-W. F. P., proposed that a demand should be presented for the exclusion from Afghanistan of all political refugees from India.<sup>2</sup>

Such a demand would have meant a departure from that made at Mussoorie, and a return to that made at Rawalpindi.

It seems unlikely that it would have proved any more effectual in 1924 than it had in 1919, nor was it in fact made.

*Mahendra Pratap*.—Of these revolutionaries Mahendra Pratap bulks largest in the official correspondence, and his activities may be briefly noticed.

He was a leading member of the Indian Independence Movement and at the outbreak of the Great War was received in audience by the Kaiser. He was one of the ' silk letter ' conspirators, and in 1918 was reported to have been the bearer of an autograph letter from the Amir Habibullah to the Kaiser.

In 1919 he was in Switzerland, later in Moscow, and then in Kabul. In 1920 he was reported to have been appointed Afghan Envoy to China. He appears however to have returned to Kabul from Chinese Turkestan, and in October 1922 visited Japan ' for the purpose of preparing the way for an Afghan Mission '<sup>3</sup> to that country.

In April 1923 he was reported to be ' in possession of Afghan naturalisation papers '.<sup>4</sup> The Government of India were however determined to face any difficulties due to this fact, in securing his arrest.<sup>5</sup>

Sir F. Humphrys saw no serious objection to his arrest, and reported a statement by the Afghan Foreign Minister to the effect that ' Mahendra Pratap did not represent Afghan Government in any way, was popular in Afghanistan, and often corresponded with Foreign Minister '. He was looked upon as a ' harmless crank whose ambition was the formation of universal creed out of Mahomedan, Buddhist, Christian and Jewish religions '.<sup>6</sup> In April 1923 Mahendra Pratap reached Peking, and called on the French Legation.<sup>7</sup> He had gone ' to China to travel and to expound his views and he would like to see the five countries of Asia—Japan, China, Afghanistan, Persia and Turkey associated together in common aims '<sup>8</sup>.

He arrived in Kabul on September 11, 1923, and the Afghan Foreign Minister when reminded on the subject said ' that Mahendra Pratap was harmless crank, but that he was determined to prevent disturbance of Anglo-Afghan relations by Indian agitators like Obeidullah '<sup>9</sup>.

In December 1923 the Chief Commissioner, N.-W. F. P., called attention to articles contributed by Mahendra Pratap to the Indian Press.<sup>10</sup> On September 16, 1924, Mahendra Pratap left Kabul with the Secretary of the Russian Legation<sup>11</sup> for Moscow, where he was reported in October.<sup>12</sup>

In 1925 he visited America, Japan, and China, taking with him to the last named country some Sikhs of the Ghadr party.<sup>13</sup> He then made for Tibet and Nepal with the object, it was believed, of forming Hindu centres there to ensure the neutrality of these countries in the event of serious disturbances in India.

<sup>1</sup>Kabul tel. 17 (12-1-1924) (A. S. XII, 73).

<sup>2</sup>Tel. 20123 (20-12-1923), from N.-W. F. P., to G. of I. (A. S. XI, 91).

<sup>3</sup>Tokio despatch 611 (8-11-1922) (F. 265-X, 102).

<sup>4</sup>Tel. 1297 (5-4-1923), from S. of S., to Viceroy (*ibid*, 105).

<sup>5</sup>Tel. 632 (12-5-1923), from Viceroy. to S. of S. (*ibid*, 115).

<sup>6</sup>Kabul tel. 155 (10-5-1923) (*ibid*, 116).

<sup>7</sup>Peking despatch (12-5-1923) (*ibid*, 135-A).

<sup>8</sup>*Ibid*, 136.

<sup>9</sup>Kabul tel. 143 (26-9-1923) (*ibid*, 170).

<sup>10</sup>Letter 17300-P.C. (3-12-1923), from N.-W. F. P., to G. of I. (*ibid*, 178).

<sup>11</sup>Kabul tel. 184 (23-9-1924) (*ibid*, 241).

<sup>12</sup>(*ibid*, 245).

<sup>13</sup>[F. 265 (2) X, 1927, n. p. 4].

He was refused admission to both Tibet and Nepal. The Tibetan Government, who had been asked to allow Mahendra Pratap to enter Tibet, and then to arrest him, excused themselves from doing this.<sup>1</sup>

On October 17, 1926, Mahendra Pratap again reached Kabul,<sup>2</sup> but was disowned by the Afghan Government, who professed to be annoyed at his posing as an Afghan representative, and asked if he could not be allowed to return to India as he was a nuisance to themselves.<sup>3</sup>

The Government of India said no obstacles would be placed in the way of Mahendra Pratap's return to India, but they could agree to no conditions, and could promise no indemnity.<sup>4</sup> Mahendra Pratap left Kabul on January 31, 1927<sup>5</sup> and was reported at Constantinople in May.<sup>6</sup>

The probability of his being an intermediary between the Russian Legation in Kabul and the Frontier tribes is discussed in a memorandum of November 27, 1923, from the Government of India to the Minister at Kabul.<sup>7</sup>

**508. (c) The 'colonists'.**—The most important of these colonies were those of Mahsuds in Logar, Charkh, and Bek Samand, and that of Wazirs at Shahjui.

The origin of the Mahsud colonies is not easy to trace, but some of the settlements appear to date back a couple of decades.<sup>8</sup>

These colonists gave serious trouble between February and May 1924, when they carried out the Chagmalai, Chaisan Kach, Saggū, and Manjhi raids.<sup>9</sup>

These offences were made the subject of a representation to the Amir, but the promises which he made could not be implemented during the Khost rebellion,<sup>10</sup> during which a certain number of these Mahsuds assisted the Afghan Government.<sup>11</sup>

The Shahjui colonists were refugee Ahmadzai Wazirs, estimated to number about 420 houses. They included members of the South Waziristan Militia who fought against us in the Third Afghan War, and were settled by the Amir in October 1921 at Shahjui, 120 miles N. E. of Kandahar, on Crown lands which are stated to have been previously occupied for generations by the Tokhi Ghilzais.<sup>12</sup>

They came into prominence by committing the Barshor raid of November 1921, and the Duzdap and Abazai raids of December 1922—January 1923. Compensation for these raids was demanded in note 307 of 18th September 1923 presented by the British Minister to the Afghan Government, and was received in full.

**509. Responsibility of the Afghan Government for the colonists.**—The discussion of this point in the official correspondence is entangled with a lengthy and inconclusive enquiry into the question of the nationality of these colonists, and in order to discover any definite principles reached it is necessary to attempt to separate the two subjects.<sup>13</sup>

As regards the Shahjui Wazirs, the responsibility of the Afghan Government for raids committed from Shahjui as a base is clear, and has been admitted by the payment of compensation for damage to life and property caused in the Barshor and Abazai raids. There seems to be no reason why the same principle should not apply, in similar circumstances, in the case of the Mahsud colonies in Logar, Bek Samand, and Charkh.

<sup>1</sup>Letter (31-3-1926), from A. P. M., to P. O. Sikkim [F.-265 (2) X, 1927, 23].

<sup>2</sup>(*Ibid.*, n. p. 9).

<sup>3</sup>Kabul memo 139/1 (6-9-1926) (*ibid.*, 51) and tel 140 (28-10-1926) (*ibid.*, 57).

<sup>4</sup>Tel. 1899 (25-10-1926), from Viceroy, to S of S. (*ibid.*, 59).

<sup>5</sup>Kabul tel. 15 (2-2-1927) (*ibid.*, 73).

<sup>6</sup>(*Ibid.*, 85).

<sup>7</sup>(A. S. X, 1-A.).

<sup>8</sup>Memo 1242 (30-5-1924), from Res, Waz., to Wazdist (A. S. XV, 37).

<sup>9</sup>Memo 50-T. (7-7-1924), from Res, Waz., to Wazdist. (*ibid.*, 156).

<sup>10</sup>Kabul tel 165 (27-8-1924) (A S XVI, 16).

<sup>11</sup>Kabul letter 819 (27-9-1924) (*ibid.*, 202).

A list of those who did so is given in letter 30-T (16-1-1925), from Res Waz (A. S. XVII, 117) and see Ex. letter 931-290 (11-4-1925), from N.-W. F., to G of I. (*ibid.*, 269).

<sup>12</sup>(A S XI, 176).

<sup>13</sup>For the question of nationality see para 599.

Both the Shahjui Wazirs and the Mahsud colonists appear to be more or less '*dokora*', spending the cold weather in Wazir and Mahsud country respectively, and returning to Afghanistan for the hot weather :—

'The Shahjui hostiles who have been in Wana for the winter have now either gone back to Birmal or are on the point of departure,'<sup>1</sup>

and so too the Mahsud colonists :—

'Persons who have received grants of land from the Afghan Government, and are in the habit of returning to Afghanistan in the early summer to pass the hot season on those lands.'<sup>2</sup>

Apparently in some cases, the profits both of the land in Afghanistan and of that in Mahsud country is shared by members of the tribe.<sup>3</sup>

The Afghan Government have not been pressed in regard to their responsibility for offences committed by the Mahsud colonists, but in the case of the Shahjui Wazirs, by paying compensation for the Barshor and Abazai raids, admitted their liability for an offence committed from a base in Afghanistan, which these Wazirs had left in order to commit such an offence, and to which they had returned after committing it. Consequently it seems that they would have to admit responsibility for offences committed on the British side of the line by the Mahsud colonists after their return to Afghanistan for the hot weather, but would almost certainly decline responsibility for offences committed by either the Shahjui Wazirs or the Mahsud colonists, from a base on the British side of the line, previously to their annual migration to Afghanistan.

The pronouncements of the Amir regarding these colonists were elicited by the Minister at an audience of April 3, 1924 :—

'Mahsud and Wazir colonists would only be allowed to settle on land in Afghanistan if they definitely came as *muhajirs*, i.e., if they definitely expressed themselves as wishing to abandon domicile in their native country. Land in Afghanistan would not be granted to heinous criminals from British territory, without concurrence of British Government. Commission by a colonist of serious offences in British India would result in immediate forfeiture of his land. Colonists from Waziristan would, as a question of policy, be discouraged but, unless they were guilty of heinous crimes, they could not be prohibited under Afghan law. He said that Musa Khan had applied for land near Kabul in Logar, if he failed to settle with British Government. If he definitely abandoned domicile in Waziristan, this application would be granted, but he would be paid lump allowance.'

**Comments.—**Discouragement by Afghan Government of colonists will not, in my opinion, be effectual, even if genuine, unless some inducement for hostiles to settle with us exists.<sup>4</sup>

The Amir's undertaking it was explained was intended to apply—

'to present as well as to future colonists, but he made it clear that tribesmen, who had been in arms against us to maintain their independence, were not regarded by him as heinous criminals.'<sup>5</sup>

As has been mentioned, the occurrence of the Khost rebellion made it impossible at the time to insist on fulfilment of this undertaking by the Amir, in accordance with which the '*dokora*' colonists would have had to choose between holding land either in Afghanistan, or on the British side of the line, and could not in future hold it in both areas, as at present.

Fulfilment of this undertaking would seem likely to simplify the problem of controlling these colonists, in whose possession of a refuge in Afghanistan lies the main difficulty.

'I feel that if hostiles have inducement to settle with us and if Amir's promises reported in telegram 80..... are fulfilled majority of these colonists will of their own accord return to their country and immediate problem will solve itself.'<sup>6</sup>

<sup>1</sup>Memo. 264 (1-3-1925), from Res, Waz, to N-W F. (A S XVII, 265-A.).

<sup>2</sup>Memo 50 (7-7-1924), from Res, Waz, to Wazdist (A S. XV, 156).

<sup>3</sup>Memo. 7196-G S-33 (6-11-1923), from Waz, to G of I. (A. S. IX, 205).

<sup>4</sup>Kabul tel. 80 (4-4-1924) (A. S XIV, 30).

<sup>5</sup>Kabul tel 115 (11-4-1924) (*ibid*, 62).

<sup>6</sup>*Ibid.*

But to present the tribe with the definite alternatives of holding land either in Afghanistan or in India would serve to split it into two sections, a British and an Afghan, and this the Government of India considered undesirable. The object in view was to secure a return of, and settlement with, the refugees rather than a precise definition of international responsibility for them.<sup>1</sup>

It was for this reason that the Amir was not pressed to carry out his undertakings on the point.

An estimate of the probability of his doing so is given in Kabul letter 819 of September 27, 1924.<sup>2</sup> In pursuance of this policy it was decided that land in the Dera Ismail Khan district belonging to Amir Khan, Abdur Rahman Khel, who had been concerned in various raids on the British side of the line should be attached and left uncultivated, but not definitely confiscated and sold 'as long as any chance of settlement remains'.<sup>3</sup>

In November 1925 reports received from Waziristan seemed to show that this policy was proving successful :—

'Recent reports received from South Waziristan are to the effect that a great number of hostiles have returned this winter from Afghanistan and are willing to settle. It would appear that the Afghan Government . . . have found the Mahsud and Wazir hostiles a bit of a thorn in the flesh.'<sup>4</sup>

In April 1926 however the tone is less hopeful :—

(c) *Mahsud colonists*.—Fewer are going back this year but there is no intention of giving up land in Logar, etc. Enough will go to arrange for their cultivation

*Wazir colonists*.—Rumour is constant that the Shahjui lands are to be resumed.

*Colonies*.—The opinion which I inherited from my predecessor and which all authorities then shared, was that constant pressure should be brought upon the Afghans<sup>5</sup> to make them resume the lands, and so force back the colonists to their own countries. That opinion I have now for some time held to be unsound. To begin with there is not the smallest prospect of success, unless the Afghans themselves want to be rid of these turbulent guests . . . . Further I know very few Mahsuds or Wazirs whose room is not preferable to their company. So, as the Amir has taken these to his bosom, let him keep them, say I, and keep them quiet.'<sup>6</sup>

510. (d) *Deserters enrolled in the 'Khost Militia'*. The British demands.—It is in April 1922 that the first mention occurs in intelligence reports of the enlistment, in a more or less regular military formation, of Wazir deserters from the Frontier Militias, on pay of Rs. 20 Kabuli a month, under the command of Pat, an ex-subedar of the North Waziristan Militia.

On October 7, 1922 these deserters carried out the Kurram raid,<sup>7</sup> for which compensation was demanded, together with the disbandment of the deserters, in 1923.<sup>8</sup>

The satisfaction of this demand has already been noticed.<sup>9</sup>

The principle involved was stated by the British Minister as being that :—

'His Majesty's Government will no longer tolerate. . . . employment in any form of British deserters in the vicinity of the border.'<sup>10</sup>

As soon as the Khost rebellion broke out it was reported that the deserters under their old commander Pat had been re-enlisted,<sup>11</sup> although this was denied by the Foreign Minister,<sup>12</sup> and assurances were given by the Amir against their re-employment.<sup>13</sup>

<sup>1</sup>Para. 599.

<sup>2</sup>(A. S. XVI, 202).

<sup>3</sup>Memo. 3260 (30-8-1925), from N.-W. F., to G. of I. (A. S. XVI, 35-A) and Memo. 72-F. (8-10-1924), from G. of I., to N.-W. F. (*ibid*, 209).

<sup>4</sup>Ex. letter 891 (9-11-1925), from Res., Waz., to N.-W. F. (A. S. XIX, 106).

<sup>5</sup>(Note.—This opinion does not seem to have been expressed in the official correspondence).

<sup>6</sup>Memo. 403 (25-4-1926), from Res., Waz., to N.-W. F. (A. S. XX, 18).

<sup>7</sup>Para. 206.

<sup>8</sup>Para. 250.

<sup>9</sup>Para. 256.

<sup>10</sup>Kabul memo. 253 (8-5-1925) (A. S. XIV, 223).

<sup>11</sup>Tel. 281 (7-10-1924), from Res., Waz., to N.-W. F. (A. S. XVI, 198).

<sup>12</sup>Kabul tel. 76 (30-3-1924) (A. S. XIV, 7)

<sup>13</sup>Kabul tel. 80 (4-4-1924) (*ibid*, 30).

The Afghan Foreign Minister also undertook to see that any irregularities which had occurred during the Khost rebellion would be discontinued when it was over.<sup>1</sup>

It seems that this promise was fulfilled ; for in April 1925 the Minister reported the presence in Kabul of certain ex-officer deserters, including Pat, who—

' all state that they have been permanently dismissed from Afghan service . . . Pat states that he is too ashamed to return home, and that he will accept land somewhere in Afghanistan.'<sup>2</sup>

At the same time they were reported to be being paid a subsistence allowance.<sup>3</sup>

The main obstacle to the return of these deserters to their homes was that the surrender of their rifles had been made a condition of their settlement with the British frontier authorities, and the Resident in Waziristan therefore proposed that the Afghan Government rifles, brought to India by the rebel refugees from Khost, should only be given back on condition of an equal number of rifles taken by the deserters being handed over to us by the Afghan Government.<sup>4</sup>

The Minister commented on this suggestion :—

' Proposal. . . seems to involve demand for rifles taken during Afghan War. Such demand, while valid against our tribesmen, would be untenable against Afghan Government.'<sup>5</sup>

Neither the refusal of subsistence allowance, nor the return of British rifles was included it will be noticed in the principle, as stated by the Minister,<sup>6</sup> governing the treatment of these deserters.

In April 1926 the Resident in Waziristan reported :—

' The tribes concerned (chiefly the Madda Khel Utmanzai Wazirs of North Waziristan) have settled up for their men. The sheet is clean, and most of the deserters are back in their homes. Two or three have reentered the Khost Militia. Colonel Pat and some others, without being reemployed, still reside in Afghanistan on the lands given to them, their income being supplemented by subsistence allowances . . . . Those who have been re-employed must be dismissed. Those who have not been employed, but have settled down in Afghanistan, are now presumably Afghan subjects, and consequently the Afghan Government is responsible for any mischief that they may hereafter do on this side of the line.'<sup>7</sup>

The accuracy of this report however is rendered doubtful by a statement made by one of the Khost Militiamen, in July 1926, to the Political Agent, Tochi :—

' There were no N. W. M. deserters in the Khost Militia when I left Matun. They had all been dismissed a year or a year and a half previously. They were given land.'<sup>8</sup>

511. (ii) Those who owe their presence in Afghanistan to political developments or to personal reasons, with which the Afghan Government has had nothing to do—To this class belongs Khan Bahadur Shakar Khan Jamaldini who ' fled across the border from Nushki ', and in August 1920 instigated the abduction of Mr. Scriven from Kundti station. The Afghan Foreign Minister was addressed on the subject,<sup>9</sup> and although in his reply S. Mahmud Tarzi suggested that Shakar Khan's brother should be released in exchange for Mr. Scriven,<sup>10</sup> no arguments as regards the raider's grievances were permitted,

<sup>1</sup>Kabul memo 932 (18-10-1924) (A. S. XVI, 259).

<sup>2</sup>Kabul tel 183|1 (26-4-1925) (A. S. XVII, 299)

[NOTE.—Acceptance of land in Afghanistan would make the status of these deserters approximate to that of the colonists, with the difference that the deserters would, in that event, appear to have severed all connection with their homes on the British side of the line.]

<sup>3</sup>Memo 221 (3-4-1925), from P. A., Tochi, to Res., Waz. (A. S. XVIII, 42)

<sup>4</sup>Memo. 193 (15-2-1925). from Res., Waz., to N.-W. F. (A. S. XVII, 180).

<sup>5</sup>Kabul tel 183|2 (13-5-1925) (A. S. XVIII, 56).

<sup>6</sup>(Above.)

<sup>7</sup>Memo 403 (25-4-1926), from Res., Waz., to N.-W. F. (A. S. XX, 18).

<sup>8</sup>Memo 4666-F-12 (13-7-1926), from P. A., Tochi, to N.-W. F. (*ibid*, 116-A.).

<sup>9</sup>Letter 34 (10-9-1920), from For Secy G. of I., to Af For Min. (A. S. IV, 6(8)).

<sup>10</sup>Letter 12 (21-9-1920), from Af For. Min., to For. Secy G. of I. (*ibid*, 617).

and an uncompromising demand was sent, holding the Afghan Government responsible for the detention of Mr. Scriven.<sup>1</sup>

**512. (m) Those who are expelled by order of the Government of India.**—There appears to be no instance of this class, nor in the nature of things is there likely to be one. In the case of Muhammad Sadiq who, according to his own account, 'took refuge in Baunu in 1899', and subsequently returned to Afghanistan, but was prepared in 1924 to become a permanent refugee,<sup>2</sup> the Resident in Waziristan suggested expulsion to Afghanistan; but the Chief Commissioner did not agree to this,<sup>3</sup> nor did the Government of India, who remarked :—

'It would of course be against all our traditions to expel notable conspirator against Afghan Government back to Afghanistan.'<sup>4</sup>

### 513. Government property taken by (A.)—Refugees.

The undertakings given in regard to the return of rifles, belonging to the Afghan Government, and taken with them by the refugee rebels in 1924-5, have already been mentioned.<sup>5</sup>

In July 1925 the Afghan Foreign Minister sent a communication purporting to give details, as required, of 815 rifles belonging to the Afghan Government, which had been taken into India by the rebel refugees. Of these the Frontier authorities had only been able to trace 73, and the Minister remarked that the information of the Afghan Government on the point was quite unreliable.<sup>6</sup>

The 67 rifles finally identified by the Frontier authorities as belonging to the Afghan Government, were restored to the latter, although the markings did not correspond with those given by the Foreign Minister.<sup>7</sup>

In April 1927 the Afghan Government applied for the return of 16 and 26 rifles, given in two lists, which were stated to be the property of the Afghan Government, and to have been taken by Mangal tribesmen to British territory.

The lists were inaccurate, and the Chief Commissioner, N.-W. F. P. considered that the claim should be resisted for several reasons :—

- (1) the lapse of time between the loss and the application ;
- (2) the amnesty granted by the Afghan Government to the rebels ;
- (3) the fact that many of the rifles were not in the hands of those who had originally taken them, but had passed by sale into the hands of their present possessors ;
- (4) the undertakings given by His Majesty's Government did not apply to the case.

Sir N. Bolton also regarded the request made by the Afghan Government as part of their campaign against Major Noel.<sup>8</sup>

The Government of India in reply pointed out that the rifles in question fell into two categories :—

- (a) 10 rifles stated to have been looted from the Afghan Government by their present possessors.
- (b) 29 rifles stated to have come into the hands of their present possessors by purchase from those who had originally taken them.

The claim should be resisted as regards the rifles in class (b). As regards class (a) the case was different.

<sup>1</sup>Letter 42 (7-10-1920), from For. Secy. G. of I., to Af. For. Min. (A. S. IV, 625).

<sup>2</sup>Memo 201-J. (18-6-1924), from Res., Waz., to Wazdust. (A. S. XV, 102).

<sup>3</sup>Ex letter 2055 (20-8-1924), from N.-W. F., to G. of I. (A. S. XVI, 5).

<sup>4</sup>Tel. 1357 (1-9-1924), from G. of I., to C d'A., Kabul (*ibid*, 27).

<sup>5</sup>Para. 502

<sup>6</sup>Kabul memo. 68-20 (24-7-1925) (A. S. XVIII, 215).

<sup>7</sup>Kabul despatch 104 (14-12-1925) (A. S. XIX, 145).

[NOTE.—These 67 rifles included those in regard to which separate applications were made by the Afghan Govt. subsequently (A. S. XXI, 32, 137, XX, 23, XIX, 289).

<sup>8</sup>Memos. 1212 P. C. (18-6-1927) and 2825 (12-7-1927), from N.-W. F., to G. of I. (A. S. XXI, 303 and XXII, 35).

The argument regarding the amnesty granted by the Afghan Government was scarcely applicable, as the terms given to the rebels seemed to have included a provision for the return of all rifles belonging to the Afghan Government.

The case was to be reviewed in the light of these remarks.<sup>1</sup>

#### 514. (B.)—Deserters.

In June 1923 two Afghan subedars and three sepoys, who had deserted from a regiment at Dakka, arrived at Landi Kotal with their families and four rifles belonging to the Afghan Government. Orders were given by the Government of India that the deserters and their families should be removed from the frontier and the rifles held at the disposal of the British Minister at Kabul.

About the same time one lance naik and two sepoys, of the 3-10th Baluch Regiment at Chaman, all Kambar Khel Afridis, deserted to Afghanistan taking with them 6 rifles, 1 pistol, 1 bayonet and some ammunition. The Minister was asked to arrange for recovery of Government property in this case.<sup>2</sup> The Minister asked whether it was desired that an exchange should be effected of the deserters themselves, as well as of the property taken by them<sup>3</sup>

The Government of India explained that they had not proposed an exchange in either case :—

' It seems better policy for us to do the right thing as a matter of course, and assume that Afghan Government will follow our example . . . . Government of India would in this instance probably be able to arrest and return deserters, but are reluctant to establish precedent, which they might not be able, or like, to act up to in future cases '<sup>4</sup>

The Minister took action accordingly and reported :—

' I discussed both cases with Foreign Minister yesterday. He said he would issue orders at once to Governor of Kandahar to restore to British authorities at Chaman rifles, ammunition, and equipment, taken by deserters I undertook to request that similar action should be taken at Torkham. We agreed that question of arrest and handing over deserters should not be taken up at present. Those who wished to return should be permitted to do so, and those who remained should not be allowed to disturb the peace of the border.'<sup>5</sup>

In accordance with this precedent a rifle, taken to Afghanistan by a deserter from the 2|10th Baluch Regiment, was returned by the Afghan Government on August 14, 1926.<sup>6</sup>

**515. Two special cases.—(1). The Hazara deserters.**—On July 13, 1925 four men of the 1|4th Hazara Pioneers deserted to Afghanistan with their rifles. The reason for this was apparently to be found partly in incidents connected with the interior economy of the battalion, and partly in the efforts made by the Afghan Government to induce Hazaras to return to their homes. The Foreign Secretary, with the concurrence of the Army Department, said that it was not desired that the question of the return of the rifles should be taken up with the Afghan Government at present.<sup>7</sup>

It was afterwards suggested that the principle underlying this decision was that deserters' rifles should not be demanded from the Government of the receiving country, when the deserters are subjects of that Government ; but the Foreign Secretary noted :—

' It was of course only in our own interest that we refrained from asking for the Hazara rifles back '<sup>8</sup>

In other words any principle involved was only one of expediency, since it was not worth while for the sake of a few rifles to raise the subject of the recruitment of Hazaras, always a sore one with the Afghan Government.

<sup>1</sup>Memo 355 (28-7-1927), from G of I, to N-W F (A S XXII, 55)

<sup>2</sup>Tel 868 (30-6-1923), from G of I., to Min., Kabul (A S VIII, 10)

<sup>3</sup>Kabul tel 202 (2-7-1923) (*ibid*, 16)

<sup>4</sup>Tel 882 (3-7-1923), from G of I, to Min., Kabul (*ibid*, 19).

<sup>5</sup>Kabul tel 203 (6-7-1923) (*ibid*, 39)

<sup>6</sup>Memo C R. 199|93|G S (28-8-1926), from Hqrs Baln, to C G S (F. 211 F 1926).

<sup>7</sup>Memo 2592-F (12-11-1925), from G. of I., to Min., Kabul (F 556-F. 1925).

<sup>8</sup>Note by Sir D Bray (2-5-1927) (A S XXI, n. p. 17)

516. (2) **Shah Pasand.**—In November 1926 the Afghan Government requested the return of five rifles,<sup>1</sup> which had been taken to Waziristan by Shah Pasand a Mahsud, who had served in the Afghan Army, and left it in disgust.

The Chief Commissioner, North West Frontier Province, remarked that the case seemed—

'precisely similar to cases of desertion from Frontier Militias to Afghanistan, when Government rifles were taken. In these cases the Afghan Government made no attempt to recover or restore those rifles to the Government of India.'<sup>2</sup>

It may be suggested however that there were some material differences between the two cases, which preclude one from being regarded as the converse of the other :—

- (a) the Militia deserters had been domiciled on the British side of the line ; Shah Pasand was not domiciled in Afghanistan.
- (b) the desertion of the Militia deserters had taken place during hostilities between the British and Afghan Governments. The loss of their rifles to the British Government was a war loss, a claim for which against the Afghan Government could not be revived after the Treaty. The desertion of Shah Pasand on the other hand took place in time of peace between the two Governments.

The case was in fact settled by the Afghan Government who took direct action against the fellow tribesmen of Shah Pasand and the Government of India wrote to the British Representative at Kabul :—

'You will no doubt, in answering the Afghan Government, point out that Shah Pasand's desertion had no connection with the revolt in the Southern Provinces, and that the case is further complicated by the fact that he is a member of the Mahsud tribe to the employment of which by the Afghan Government the Government of India have consistently objected.'<sup>3</sup>

This did not of course mean that restoration of Government property should be confined to cases of desertion during the Khost rebellion, since there were already precedents against such a view.<sup>4</sup> The principle underlying the Government of India's objection seems in fact to have been, as in the case of the Hazaras, one simply of expediency. Recovery of the rifles just after a settlement by the British authorities with Shah Pasand would have been disturbing, and the protests previously made against the enlistment of Mahsuds by the Afghan Government provided a good argument for resisting the claim.

517. **Rules of practice.**—The rules of practice which appear to have emerged in regard to the treatment of political refugees and deserters may be summarised as follows :—

(1) Political refugees for whose presence in either country the action of that country's Government is to some extent responsible, have a moral claim on that Government for maintenance, and no objection can be made if such maintenance is given.

*Precedents—In India.*—The families of Ayub and Yakub Khan.<sup>5</sup>

*In Afghanistan*—The Shahjui Wazirs,<sup>6</sup> and the deserters from the Frontier Militias.<sup>7</sup>

(2) Political refugees whose presence in either country is due to political developments or to personal reasons with which the Government of the receiving country is in no way responsible, have no claim on that Government for maintenance.

*Precedents—In India.*—The rebel refugees during the Khost rebellion of 1924,<sup>8</sup> and S. Muhammad Umar Jan.<sup>9</sup>

(3) The receiving Government is, in the case of both these classes of refugees, obliged to do what it can to prevent them using its territory as a base for causing damage to the country of origin.

<sup>1</sup>Kabul memo. 68/41 (1-1-1927) (A. S. XXI, 28).

<sup>2</sup>Memo. 706 (7-4-1927), from N.W.F., to G. of I. (*ibid*, 137).

<sup>3</sup>Memo. 355 (6-5-1927), from G. of I., to C. d'A., Kabul (*ibid*, 202).

<sup>4</sup>Para. 514.

<sup>5</sup>Para. 501.

<sup>6</sup>Para. 508.

<sup>7</sup>Para. 510.

<sup>8</sup>Para. 502.

<sup>9</sup>*Ibid.*

*Precedents—First class of refugees.*—Action taken by the Government of India to prevent Sardars Abdulla Khan and Abdurrahman Khan from putting themselves at the head of the Khost rebellion.<sup>1</sup>

*Second class of refugees.*—Action taken by the Government of India in regard to the refugees of 1924 (deportation of ringleaders, taking of security, and disarmament).<sup>2</sup>

(4) The Government of the receiving country is responsible if, through its own negligence and from a base in its own territory, damage is caused by refugees of either class to the country of origin :—

*Precedents—First class of refugees.*—Restitution made by Afghan Government for the Baishor and Abazai raids, carried out by Shahjui Wazirs from a base in Afghan territory.<sup>3</sup>

*Second class of refugees.*—The abduction of Mr. Scriven at the instigation of Khan Bahadur Shakar Khan,<sup>4</sup> for which the Afghan Government was held responsible.

(5) It is improper and unneighbourly for either Government to expel persons to the territory of the other, without the concurrence of the latter.

*Precedents.*—Shaikh Abdullah Muhammad<sup>5</sup> and Muhammad Sadiq.<sup>6</sup>

(6) Deserters from the military forces of either Government should not be employed in military formations near the common frontier by the other Government.

*Precedent.*—Principle stated in connection with the disbandment of the deserters enrolled in the Khost Militia.<sup>7</sup>

(7) Either Government is entitled to claim the restoration of property belonging to it, which is identifiable as such, and has been taken by deserters, or other refugees, to the country of the other Government.

*Precedents.*—Return of the rifles taken by the British and Afghan deserters in June 1923,<sup>8</sup> and by the refugees from Khost in 1925.<sup>9</sup>

*Exceptions.*—This rule does not however apply to Government property :—

- (a) taken by deserters in time of war between the two countries,<sup>10</sup> or
- (b) taken by refugees and subsequently sold to tribesmen of the receiving country.<sup>11</sup>

(8) Owing to Afghan sensitiveness regarding the recruitment of Hazaras by British authorities, it is inexpedient to demand the return of Government property taken by Hazara deserters to Afghanistan.<sup>12</sup>

*Precedent.*—The case of 14th Hazara Pioneers (July 1925).<sup>13</sup>

(9) A demand for the return of Government property taken by a deserter may be resisted, if the receiving Government has made known its objections to the enlistment by the other Government of members of the tribe to which such deserter belongs.

*Precedent.*—The case of Shah Pasand.<sup>14</sup>

<sup>1</sup>Para. 501.

<sup>2</sup>Para. 502.

<sup>3</sup>Para. 509.

<sup>4</sup>Para. 511.

<sup>5</sup>Para. 503.

<sup>6</sup>Para. 512.

<sup>7</sup>Para. 510.

<sup>8</sup>Para. 514.

<sup>9</sup>Para. 513.

<sup>10</sup>Para. 510.

NOTE.—It is of course always open to the receiving Government to return stolen property belonging to the other as a matter of courtesy ; so the Governor of Khost returned two horses stolen from the Indian Police (A. S. XII, 171), and the Government of India returned a rifle belonging to the Afghan Government, which had been recovered from Ajab's house (F 521 F, 1923).

<sup>11</sup>Para. 513.

<sup>12</sup>Para. 515.

<sup>13</sup>Ibid.

<sup>14</sup>Para. 516.

(10) Neither political refugees<sup>1</sup> nor military deserters<sup>2</sup> can be extradited. Even if an extradition Treaty were concluded, it would presumably only apply to ordinary criminals and not to political offenders.<sup>3</sup>

(2) 'Heinous criminals'.

518. **No principle laid down.**—The responsibility of either Government in respect of 'heinous criminals' who, after committing an offence in the country of domicile, take refuge in the territories of the other Government, is not covered by any provision of the Kabul Treaty of 1921. It is however included in the obligation of the receiving Government to take preventive action in regard to refugees generally, which was mentioned in Sir H. Dobbs' letter of December 1, 1921.<sup>4</sup>

S. Mahmud Tarzi's reply however was, as has been seen, inconclusive on the point.<sup>5</sup>

The question arose in connection with Mirzali, the murderer of Colonel Foulkes, to whom special favour was reported to have been shown by the Amir during the 'Jalalabad jirgas' of 1923.<sup>6</sup> It became immediately pressing in connection with the disposal of the Kohat gang, and the murderers of Captain Baker-Jones, on their arrival in Afghan limits.

In both these cases the offenders were British tribesmen; the crimes were committed in British territory, and from a base in British territory, and were the direct outcome of dealings by British Frontier officers with British Frontier tribes. There was no question in either case of a raid from Afghan territory,<sup>7</sup> or of any Afghan connection with the offenders, before the commission of these crimes.

519. **The possible alternatives.**—The formulation of the demand to be made from the Afghan Government was not an easy matter, and in the case of the Kohat gang was complicated by the fact that the presence of the gang in Afghanistan was itself the result of official action on the part of British officers.<sup>8</sup> The possible alternatives appeared to be:—

(i) **Extradition.**—This would have been the simplest and most satisfactory solution. Such a demand would however have been unjustifiable in the absence of an extradition treaty, while compliance with such a demand made by a Christian Power would have been extremely repugnant to Moslem feeling, and so politically dangerous for the Amir<sup>9</sup>:—

'In the absence of any extradition treaty with Afghanistan upon which to base a request for the surrender of the gang, the matter could only be dealt with in the light of broad political considerations, among which was the fact that their surrender would have been unprecedented and contrary to the Afghan doctrine of asylum.'<sup>10</sup>

Nor were the Government of India prepared for the converse implications of such a demand.<sup>11</sup>

The Afghan Government however is apparently contemplating an extradition Treaty.<sup>12</sup>

(ii) **Expulsion from Afghan territory**—The Chief Commissioner, N.-W. F. P. agreed to expulsion from Afghan territory provided that the gang were handed over to Afridi representatives on a specified route and date.<sup>13</sup> (Such a procedure would seem to approximate closely to extradition). The demand actually made, in the first instance, was for the gang to be put across the Afridi border at

<sup>1</sup>Para. 500.

<sup>2</sup>Para. 511.

<sup>3</sup>Para. 501.

<sup>4</sup>Para. 191.

<sup>5</sup>Para. 192.

<sup>6</sup>Para. 240.

<sup>7</sup>NOTE.—The question of raids, (*i.e.*, offences carried out in either country from a base in the territory of the other) is of course quite distinct, and is discussed below.

<sup>8</sup>Kabul despatch 25 (15-8-1923) (A. S. VIII, 189-A).

<sup>9</sup>Kabul despatch 56 (4-12-1923) 7 (4) (A. S. XI, 40).

<sup>10</sup>The Prime Minister in the House of Commons (A. S. XIV, 32).

<sup>11</sup>Kabul despatch 56 (4-12-1923) 4 (4) (*ibid*).

<sup>12</sup>Para. 521.

<sup>13</sup>Tel. 1412 (21-5-1923), from N.-W. F., to G. of I. (F. 517-F., 136).

a time and place to be specified.<sup>1</sup> It was however dropped for reasons explained by the Minister :—

' It has now transpired however that these criminals were in the first instance expelled from tribal territory by official order . . . . The alternative demand . . . for the expulsion of the gang across the Afridi border is thus rendered untenable '<sup>2</sup>

(iii) The demand finally made—which was for ' such overt action as will convince His Majesty's Government of determination of Afghan Government to prevent such criminals from endangering from any refuge in Afghanistan the peace of the Indian Frontier.'—It was noted that deportation to Turkestan on certain conditions would be accepted in satisfaction of this demand.<sup>3</sup>

This demand was formally satisfied in regard to all five members of the Kohat gang. Ajab, Shahzada, and Haidar Shah were deported to Turkestan and so, although remaining in Afghanistan, ceased to endanger the peace of the Indian frontier, while Sultan Mir and Gul Akbar were sent, by some very tortuous proceedings on the part of the local Afghan official, across the Indian frontier, and so, although continuing to endanger its peace, did not do so from a refuge in Afghanistan.<sup>4</sup> Certain undertakings were given for the surveillance of the gang in Turkestan.<sup>5</sup>

The case of the murderers of Captain Baker-Jones was similar in principle ; the only distinguishing features being :—

- (1) that it was far less 'heinous', since it was apparently not in any way deliberate,<sup>6</sup> and
- (2) that the flight of the murderers to Afghanistan was voluntary, not compulsory.

In view of (2) a demand for expulsion was held to be tenable, and was accordingly made ; the wording being for either 'their removal to some place far distant from the frontier', or for their definite exclusion from Afghan territory,<sup>7</sup> and the Afghan Foreign Minister then promised deportation to Turkestan.<sup>8</sup>

**520. Two Afghan undertakings.**—Two general undertakings were given by the Afghan Government in regard to 'heinous criminals' :—

- (1) by the Afghan Foreign Minister who agreed, when the question was raised in connection with Mirzali<sup>9</sup>,
- that it was most undesirable that the Afghan Government should show any favour to, or indeed have any dealings with, persons who had committed heinous offences in British territory, and he asked me to provide him with a list of such criminals '<sup>10</sup>
- (2) that already quoted as given by the Amir, in the course of a discussion with Sir F. Humphrys regarding the refugee colonies<sup>11</sup> :—  
Land in Afghanistan would not be granted to heinous criminals from British territory without concurrence of British Government Commission by a colonist of serious offences in British India would result in immediate forfeiture of his land.'<sup>12</sup>

He made it clear that he did not regard as heinous criminals tribesmen who had fought for the independence of their country.<sup>13</sup>

The Amir confirmed these promises on August 27, 1924, but explained why he could not put them into practice in the circumstances then existing.<sup>14</sup>

**521—and a proposal.**—On May 25, 1926, the Afghan Foreign Minister told Sir F. Humphrys that he intended 'discussing with me shortly possibility of an

<sup>1</sup>Letter 157 (22-5-1923), from Min, Kabul, to Af For Min. (F. 517-F, 142-A).

<sup>2</sup>Kabul despatch 25 (15-8-1923) (A. S VIII, 189-A)

<sup>3</sup>Para 250

<sup>4</sup>Para. 252.

<sup>5</sup>Ibid

<sup>6</sup>Para. 260.

<sup>7</sup>Letter 5 (5-1-1924), from Min, Kabul, to Af For. Min (A. S. XII, 123)

<sup>8</sup>Kabul tel. 23 (21-1-1924) (*ibid*, 165).

<sup>9</sup>Para. 518

<sup>10</sup>Kabul memo. 322 (4-10-1923) (A. S. IX, 38).

<sup>11</sup>Para. 509.

<sup>12</sup>Kabul tel. 80 (4-4-1924) (A. S XIV, 30).

<sup>13</sup>Kabul tel. 115 (11-4-1924) (*ibid*, 62)

<sup>14</sup>Kabul tel. 165 (27-8-1924) (A. S. XVI, 16).

Extradition Treaty between our two countries, which would include all heinous criminals except political offenders'.<sup>1</sup>

522. What is a 'heinous criminal'?—This question arose in the preparation of the list asked for by the Afghan Foreign Minister,<sup>2</sup> and in the interpretation of the undertaking given by the Amir:—

'It would assist Resident in formulating proposals for dealing with hostiles to know whether attacks on air forces and convoys are regarded by Afghan Government as offences or not'.<sup>3</sup>

523. The list of heinous criminals.—The first list forwarded by the Chief Commissioner, N.-W. F. P. contained 55 names,<sup>4</sup> while the Resident in Waziristan included in the category of heinous offenders all the deserters from the Waziristan Militias, as well as the Mahsud hostiles,

He added:—

'There will no doubt be an attempt on the part of the Afghan Government to re-classify our criminals and rebels as *Mujahids* and political offenders. The fact that many *Mujahids* and political offenders are also distinguished members of the criminal classes need not obscure the fact that the persons recorded above were raiders and rebels first, and *Mujahids* or political offenders afterwards'.<sup>5</sup>

The Baluchistan list contained four names only, *viz.*, those of the murderers of Captain Baker-Jones and their associates. The Agent to the Governor-General in forwarding it remarked:—

'To confront the Afghan Government with a lengthy list of this nature would in my opinion merely result in confusing the issue, and give them an opportunity either of taking exception to the classification, or of showing professed good faith by dealing with unimportant offenders, while allowing larger malefactors to operate unhampered'.<sup>6</sup>

A detailed note on these lists was forwarded by the Minister at Kabul,<sup>7</sup> and the Government of India then asked the Frontier Administrations and Waziristan to revise their lists so as 'to include only those persons who, if caught, would be placed on their trial for a heinous offence committed in British territory, British territory for this purpose being held to include tribal territory'.<sup>8</sup>

The Chief Commissioner then removed two names from his list,<sup>9</sup> while the other addressees did not reply.

The Frontier Administrations were then asked to supply a revised list which 'should be made as short as possible and in any case should only include such persons as fall within the category mentioned'.<sup>10</sup> The North-West Frontier list prepared in accordance with this request contained 22 names,<sup>11</sup> and the Baluchistan list 5.<sup>12</sup>

From these lists was then formed by the Government of India a single list of 25 'criminals who have committed heinous offences in India who have resorted, or are likely to resort, to Afghanistan.'

It was added that:—

'The Government of India do not desire this statement presented to the Afghan Foreign Minister, but merely kept on record, as they consider that, though he asked for the names of such persons, there is much less hope of obtaining a satisfactory response to our requirements if they are treated *en bloc* than by taking up individual cases piecemeal as they arise, and allowing our relations in matters of this kind to develop on the basis of ordinary neighbourly duty'.<sup>13</sup>

<sup>1</sup>Kabul tel. 70 (28-5-1926) (A. S. XX, 50).

<sup>2</sup>Para. 520.

<sup>3</sup>Tel. G-69 (12-6-1924), from Waz., to G. of I. (A. S. XV, 49).

<sup>4</sup>Memo. 277 P-636-P.C. (25-1-1924), from N.-W. F., to G. of I. (A. S. XII, 229).

<sup>5</sup>Memo. 15982-80-G. (25-1-1924), from Wazforce, to G. of I. (*ibid*, 231).

<sup>6</sup>Memo. 369 (30-1-1924) (*ibid*, 203).

<sup>7</sup>(14-2-1924) (A. S. XIII, n. p. 9).

<sup>8</sup>Memo. 1-F. (13-2-1924), from G. of I., to N.-W. F. P. (*ibid*, 47).

<sup>9</sup>Memo. 674 (3-3-1924), from N.-W. F., to G. of I. (*ibid*, 169).

<sup>10</sup>Memo. 311-F. (20-12-1926), from G. of I., to N.-W. F. and Baln. (A. S. XXI, 9).

<sup>11</sup>Memo. 1-P.C. (3-1-1927), from N.-W. F., to G. of I. (*ibid*, 27).

<sup>12</sup>Memo. 262 (24-2-1927), from Baln., to G. of I. (*ibid*, 81).

<sup>13</sup>Memo. 360 (19-5-1927), from G. of I., to C. d'A., Kabul (F 360-F, 5).

524. The inclusion of political offenders among 'heinous criminals'.—Certain of what are usually called 'political' offences are punishable under the ordinary criminal law of India, and the question therefore arose whether those guilty of such offences should be included in the category of 'heinous criminals'.

Mr Howell, when officiating as Foreign Secretary, noted.—

'I agree that political offences, if committed in British territory as defined, are to be regarded in the same way as other offences.'<sup>1</sup>

It is however open to question whether such a view could ever be made acceptable to the Afghan Government.

It seems clear that neither the British Minister nor the Afghan Foreign Minister, during the conversation in which the idea of the list originated, had such offenders in mind. Sir F. Humphrys in his note of February 14, 1924 objected to two names in the North-West Frontier list (Nos. 46 and 47) on the ground that they 'appear to be political offenders',<sup>2</sup> and it may be noticed that the list finally prepared by the Government of India of persons whom they regard as 'heinous criminals' contains the name of only one (No. 19) who could be regarded as a purely 'political' offender.

525. The case of Mahendra Pratap.<sup>3</sup>—The actual position will perhaps be made clearer by the examination of a leading case, that of Mahendra Pratap.

His name appears in the first list of 'heinous criminals' forwarded by the Chief Commissioner in January 1924, but does not appear in the final list, prepared by the Government of India.

Yet in their telegram 785 of June 6, 1923, to the Secretary of State the Government of India wrote:—

'Following are charges against Mahendra Pratap Abetment of waging war, conspiracy, and attempt to wage war, against His Majesty King Emperor, offences punishable under Indian Penal Code Sections 121 and 121A ..... It is not contended by us that above offences would not for purposes of normal extradition procedure be in category of political offences, but in special circumstances of case we understand such procedure would not be held strictly applicable.'<sup>4</sup>

The position therefore seems to be that, while Mahendra Pratap might for certain purposes be treated as an ordinary criminal, yet in representations regarding his case to the Afghan Government a stricter view must be taken, on which he can only be classed as a political offender.

526. The converse.—No demand has been made by the Afghan Government in respect of any 'heinous criminals' who have taken refuge in India after committing crimes in Afghanistan.<sup>5</sup>

527. Rules of practice.—The following rules of practice may be said to emerge from these cases:—

- (1) Heinous criminals who have committed offences in the territory of one Government and taken refuge in that of the other, cannot be extradited in the absence of an extradition treaty.
- (2) The Government of the receiving country should show 'heinous criminals' from the territory of the other no favour, and in particular should not grant them land.
- (3) In addition the Government of the receiving country may be called upon to take such overt action as may be necessary to prevent such criminals disturbing the peace of the Frontier from a base within that country.

This action may take the form either of expulsion from the country, or of deportation to a place far distant from the common frontier.

- (4) 'Political' offenders are not included, for the purpose of these rules, in the category of 'heinous criminals'.

<sup>1</sup>Note dated 9-3-24 (A. S. XIII, n. p. 19).

<sup>2</sup>(A. S. XIII, n. p. 8)

<sup>3</sup>Vide para. 507.

<sup>4</sup>(F 265-X, 1926, 123).

<sup>5</sup>The request made by the Afghan Government for the extradition of Abdul Karim has been mentioned (para 501), but this man was clearly a political offender and not a 'heinous criminal'.

## CHAPTER XXVII.

### CORRESPONDENCE BETWEEN THE TWO GOVERNMENTS AND THEIR OFFICERS.

528. **The King, Viceroy and Amir.**—The fact that the Amir's letter of March 3, 1919, to the Viceroy was not answered until the middle of April,<sup>1</sup> was more than once referred to later as a grievance by Afghan officials.

On the conclusion of the Rawalpindi Treaty three letters were sent by the Amir, to the King, the Viceroy, and Sir H. Grant respectively. The fact is interesting as showing that, at this date, the Amir, although claiming the right of correspondence with the King, had not yet taken up the attitude that he could correspond with no one of lower rank. (This letter to the King, as well as a later one on the subject of the Khilafat were left unanswered<sup>2</sup>) A letter addressed at this time by S. Mahmud Tarzi to the Secretary of State for Foreign Affairs was significant of the new Afghan claims, which were put forward even more uncompromisingly after the signature of the Kabul Treaty of 1921.

Complimentary telegrams were then sent by the King and the Viceroy to the Amir, and by Lord Curzon and the Foreign Secretary to the Government of India to S. Mahmud Tarzi. The Amir replied to the King's message, and S. Mahmud Tarzi to that from Lord Curzon. The Viceroy's message was however, answered by S. Mahmud Tarzi<sup>3</sup>, and Sir D. Bray's by the Sardar's Secretary.<sup>4</sup> In this connection the Secretary of State telegraphed to the Viceroy :—

' On conclusion of treaty Amir's reply to your congratulations took, I note, the form of a message through Tarzi. This should not, I think, be tolerated, and I will ask Foreign Office, if you agree, to instruct Humphrys to explain to Afghan Government that, when you personally address Amir, he must personally reply to you, as you are Representative of King in India '<sup>5</sup>

Sir F. Humphrys then asked whether the Amir should be required to reply personally to all messages from the Viceroy, whether official or private in character.<sup>6</sup> The Government of India considered that he should so reply.<sup>7</sup>

The instructions given to Sir F. Humphrys ran :—

' You should take the line that, while you have no doubt that the Amir did not in any way intend to be discourteous, yet, as the word 'Viceroy' indicates, His Excellency's position is such that he is entitled to address on a basis of equality the heads of foreign States in the neighbourhood. You should point out that if the latter do not reciprocate, it implies a courtesy to the King-Emperor quite as much as to his deputy, the Viceroy. Rule of etiquette would, of course, apply, whatever was the subject matter of the message, but it is unlikely that the Viceroy will have cause to address the Amir or *vice versa*, except on matters of personal concern to one or the other, in view of the fact that the relations between His Majesty's Government and Afghanistan are now governed by normal diplomatic rules '<sup>8</sup>

The Minister conveyed an informal remonstrance accordingly, which S. Mahmud Tarzi took in good part.<sup>9</sup>

Complimentary messages are now sent regularly on the following occasions :—

By the King<sup>10</sup> to the Amir on the ' Nauroz ' (Afghan New Year), and

<sup>11</sup>by the Amir to the King for the New Year. (January 1).

These are acknowledged personally.<sup>12</sup>

<sup>1</sup>Paras. 34, 36.

<sup>2</sup>Para. 81.

<sup>3</sup>(A. S. VI 691).

<sup>4</sup>(*Ibid.*, 692).

<sup>5</sup>Tel. 220 (17-1-1922), from S of S., to Viceroy (A. S. VII 47), and F. O. despatch 8 (21-4-1922), to Kabul (*ibid.*, 339).

<sup>6</sup>Kabul tel. 24 (22-5-1922) (*ibid.*, 356).

<sup>7</sup>Tel. 744 (5-6-1922), from Viceroy, to S of S. (*ibid.*, 399).

<sup>8</sup>F. O. tel. 2299 (16-6-1922) (*ibid.*, 431).

<sup>9</sup>Kabul tel. 48 (26-6-1922) (*ibid.*, 477).

<sup>10</sup>e.g., tel. of 20-3-1927 (A. S. XXI 152).

<sup>11</sup>e.g., tel. of 3-1-1927 (*ibid.*, 58).

<sup>12</sup>"g., A. S. XXI, 58 and 189.

Birthday congratulations are also exchanged,<sup>1</sup> and messages sent on special occasions, such as by the King and the Vice-roy to the Amir on the death of the latter's son Humayatullah,<sup>2</sup> and by the Amir to the King on the death of Queen Alexandra.<sup>3</sup> These are of course acknowledged personally.<sup>4</sup>

**529 British and Afghan Frontier officials.**—It had long been the custom for Afghan and British frontier officers to correspond on minor matters affecting their own charges, (e.g., the Political Agent, Khyber, and the Sarhang of Dakka in regard to Khyber affairs), but this procedure clearly required to be regularised, when a British Minister was appointed to Kabul. Consequently in December 1922 rules on the subject were issued by the Government of India :—

#### Correspondence between British and Afghan Frontier Officials.

**1. Direct correspondence not prohibited.**—Direct correspondence between British and Afghan Frontier officials is not prohibited, but must be conducted in such a manner as to ensure—

- (1) that the British Minister at Kabul is kept *au courant* with all frontier questions ;
- (2) that British officers are not exposed to the chance of a rebuff, of which notice would have to be taken.

**2. Two classes of officials.**—Such correspondence is therefore divided into two classes.—

- (a) correspondence between local British officials, of the status of Political Agent or Deputy Commissioner and lower grades, with Afghan officials of equal rank such as Hakims or Naib Hakims of districts ; and
- (b) correspondence between officials of higher grades, such as an Agent to the Governor-General, or the Resident in Waziristan, on the British, and the Naib-ul-Hukuma and Hakim-i-Kalan on the Afghan, side.

**3. Correspondence between officials mentioned in Section 2 (a).**—With the general or special permission of the head of the local Administration, any local British official of the rank of Political Agent or Deputy Commissioner or of lower status may address to an Afghan official of position equal to his own—

- (1) ceremonial and complimentary letters as required by the occasion ;
- (2) letters relating to petty matters of purely local interest ;
- (3) letters relating to matters of more than purely local interest, where it is essential to save time. Cases of boundary fracas and kidnapping enter into this category.

**4. Correspondence between officials mentioned in Section 2 (b).**—(1) Only the Agent to the Governor-General in Baluchistan, the Chief Commissioner, North-West Frontier Province, and the Resident in Waziristan are authorised to address letters to Afghan officials of high rank. The Afghan officials who may be addressed are detailed in the Appendix.

(2) Such letters shall in general be confined to ceremonial and complimentary letters, and letters in which no request is made of the person addressed.

(3) In very exceptional cases, where the saving of time is of great moment, letters containing requests may be written, but this should be avoided where possible.

(4) Copies of all letters other than those mentioned in Section 3 (1) and (2) addressed by British officials to Afghan officials should invariably be sent to the Foreign Secretary to the Government of India, and to the Minister at Kabul.

(5) Every letter addressed by a British to an Afghan official other than those mentioned in Section 3 (1) and (2) should contain mention of the fact that a copy is being sent to the British Minister at Kabul.

An Appendix gives the Naib-ul-Hukuma Kandahar and the Hakim-i-Ali Simat-i-Mashriqi as the Afghan officials of high rank who may be addressed by British officials of a rank above that of Political Agent or Deputy Commissioner.<sup>5</sup>

<sup>1</sup>Vide I.-334-F. 1926 and Kabul despatch 14 (6-2-1922)

<sup>2</sup>F. O. tel 54 (22-12-1924) (A S. XVII, 55) and tel. 1879 (23-12-1924), from G. of I. to Min., Kabul (*ibid*, 56)

<sup>3</sup>(A S. XIX, 144).

<sup>4</sup>(A S. XVII, 67 and XIX, 144).

<sup>5</sup>Memo 1923/229-F. (7-12-1922), from G. of I. to N.-W. F. and Baln (F-229-F. 5)

NOTE—An instance in which the attention of the Chief Commissioner, N.-W. F. P., was called to a breach of these rules will be found in memo. 1-F. (10-3-1925), from G. of I. (A S. XVII, 199).

## CHAPTER XXVIII.

### ARMAMENT QUESTIONS.

#### **British Policy in regard to the acquisition of Arms by Afghanistan.**

530. (1) **Before 1919.**—Colonel Windham's *Précis*<sup>1</sup> states the policy of the Government of India in regard to the acquisition of arms by Amir Abdur Rahman, and mentions several instances of gifts of arms being made to him. By the seventh clause of the Durand Agreement of November 1893 the Government of India 'bound themselves in definite terms' :—

‘ Being fully satisfied of His Highness’ goodwill to the British Government, and wishing to see Afghanistan independent and strong, the Government of India will raise no objection to the purchase and import by His Highness of munitions of war, and they will themselves grant him some help in this respect.’

The question was raised by Amir Habibullah, during the negotiations preliminary to the ‘Dane Treaty’ :—

‘ His Highness explains that he wishes by an entry in the Treaty itself, or by a separate engagement, to have the meaning made clearer of the promise in clause 7 of Durand Agreement, whereby British Government engaged to allow free import of arms, and to give Amir some help in this respect. He says that previous stoppage of munitions has caused him great loss, and he desire definite assurance that no such stoppage will occur in future. He also wishes that the amount of arms to be given in accordance with promise of help should be determined, for he says that this is most important part of the Treaty. . . . . He says that unless matter of arms is satisfactorily settled Treaty will be useless to him. I have replied that, as His Majesty’s Government have accepted his draft Treaty, the free import of arms will be observed so long as Treaty is not infringed. As to second matter, I have pointed out that in accordance with their promise British Government did assist late Amir with munitions of war, and that I am not authorised to engage that they will grant any definite amount of arms in future to the Amir.’<sup>2</sup>

The question was examined in 1913 and it was noted :—

‘ We are committed to the unrestricted import of munitions of war by the Amir, and have no right of veto on his purchases of arms, so long as he acts up to his engagements with us. It was however pointed out by Sir Louis Dane that we could at any time stop the import of arms, as the Amir, by subsidising the Afridis, was committing a direct infringement of his Treaty. We should however hardly resort to such a step, except as a last necessity, as it would drive the Amir to obtain arms from sources over which we could exercise no supervision.’

The Foreign Secretary noted :—

‘ We have no good ground for objecting. . . . notwithstanding the large stocks of arms stored in his arsenals, we have never had any reason to think that he has allowed them to come into the market. Should we have grounds for doing so, we can always stop import through India.’<sup>3</sup>

A reply was sent accordingly to the Secretary of State :—

‘ We are committed under the terms of the Durand Treaty of 1893 to allow His Majesty the Amir, so long as he adheres to the terms of the above treaty as regards his engagements with us, free importation into Afghanistan of munitions of war. In the circumstances we cannot object.’<sup>4</sup>

(It will be noted that the point raised by Sir L. Dane as to whether the Amir had in fact broken his engagements was not discussed.)

531. (2) **Since 1919.**—The question, as it has presented itself since 1919, may be considered under two heads :—

- (a) Import of arms by Afghanistan.
- (b) Supply of arms to Afghanistan.

<sup>1</sup>Paras. 343–346

<sup>2</sup>Tel. 282 (23-3-1905), from Mr. Dane to G. of I. (Progs. May 1905, 501).

<sup>3</sup>Minute by Sir H. McMahon (11-6-1923) (See Progs. F., Sept. 1923, n. p. 2).

<sup>4</sup>Tel. (12-6-1913), from Viceroy, to S. of S. (*ibid*, 5).

## (A) IMPORT OF ARMS BY AFGHANISTAN.

532. Before the present treaty—Sir H. Grant in his minute of June 29, 1919 on the terms of settlement with Afghanistan after the Third Afghan War noted as among the British desiderata :—

' Control over the Amir's import of arms through India and some understanding as to his import of arms from other sources '

Such control Sir H. Grant thought could be justified to the Afghans by quoting the general tendency of civilised races to reduce armaments, and the necessity of self-preservation by India against which arms so imported had just been used. Sir H. Grant proposed that import of arms through India in reasonable quantities might in future be allowed, in return for an undertaking by Afghanistan that she would not import from elsewhere, although he was doubtful whether such an undertaking could be enforced.<sup>1</sup>

Article 2 of the Rawalpindi Treaty<sup>2</sup> definitely withdrew ' the privilege enjoyed by former Amirs of importing arms, ammunition, or warlike munitions through India to Afghanistan ' ; but the subject was clearly one which would be open to discussion at the negotiation of the second chapter of the Treaty six months later ; and at the fourth meeting of the Rawalpindi Conference the Afghan delegates were informed accordingly.

533. The bearing of the Arms Traffic Convention on the question.—At the Mussoorie Conference facilities for the import of arms through India were made dependent on the signature of a Treaty of Friendship, and adherence by Afghanistan to the Arms Traffic Convention.<sup>3</sup> [The position in regard to the Arms Traffic Convention was stated in letters of September 13 and December 1, 1920 from the Board of Trade to the India Office , a letter of November 3, 1920 from the India Office to the Board of Trade, and a letter of November 25, 1920 from the Foreign Office to the India Office<sup>4</sup>]

In the Kabul negotiations the question was left to the decision of the Government of India,—

' subject to the remark that His Majesty's Government will have no option but to be bound by conditions of Arms Traffic Convention in regard to exports to Afghanistan, if that Convention is brought into force, and that Amir's remedy will be to adhere to Convention himself.'<sup>5</sup>

534. The possibility of importation through Russia.—In a letter of November 25, 1920 to the India Office the Foreign Office drew attention to the possibility of Afghanistan turning to Russia, if too severe a control over the import of arms through India were enforced.<sup>6</sup>

To an enquiry from Sir H. Dobbs as to how far it would be safe to reckon that India could be the only route of import for arms, other than those of Russian origin, His Majesty's Government replied that to maintain this would be impossible :—

' Bolshevik Russia is at present one of the destinations to which America has prohibited export, but if or when an agreement with Soviet Government is concluded by America, latter would presumably allow arms purchased by Afghanistan to be shipped to Russia for onward transit. Article 170 of treaty of Versailles forbids Germany to export arms at all. Foreign Office have not at present any information as to how far this prohibition is effective in regard to exporting to Russia '<sup>7</sup>

The probability of Afghanistan looking to Russia, as either the source or channel of supply, is more than once mentioned in the correspondence, e.g., when the Afghan arms were held up in 1923, it was reported that the Afghan Government were arranging import through Russia.<sup>8</sup>

In 1925 the policy of the Government of India was stated as follows :—

' We accordingly consider that if Afghanistan is to purchase arms it is to our advantage, both from the trade point of view and the military point of view, that she should purchase arms from us, and desirable that we should do what we can to discourage her from going exclusively to Russia.'<sup>9</sup>

<sup>1</sup>(Progs. Oct 1920, 705-806, n pp. 27—33)

<sup>2</sup>Para. 60.

<sup>3</sup>Progs. of the 13th Meeting and the *Aide Memoire* (para. 99).

<sup>4</sup>(A. S. IV, 671, 674, 717 and 718).

<sup>5</sup>Tel. 2433 (12-5-1921), from S. of S. to Viceroy (A. S. V, 239).

<sup>6</sup>(A. S. IV, 718).

<sup>7</sup>Tel. 2899 (10-6-1921), from S. of S. to Viceroy (A. S. V, 342).

<sup>8</sup>(F. 147-F 1922, 160).

<sup>9</sup>Tel. 1112 (8-9-1925), from Viceroy to S. of S. (F. 280-F. 188).

535. The feasibility of control by the Government of India.—In view of the likelihood of arms, if imported in excessive quantities by Afghanistan, reaching the frontier tribes, the possibility of controlling importation by the Amir has frequently been mooted in the official correspondence.

In July 1921 the Secretary of State expressed the view that some ' voice in question of importation of arms into Afghanistan ' should be reserved to the Government of India ' even if no close control can be exercised over their quantity.'<sup>1</sup> Sir H. Dobbs considered that this would be impossible to arrange :—

' Afghans consider free importation of arms to be of such supreme importance that it is almost certain that signature of treaty would be prevented by any hint that we might restrict them of our own motion and solely in our own interest, except in the event of imminent rupture of relations between us '<sup>2</sup>

In a later telegram Sir H. Dobbs again emphasised the importance which the Afghans attached to this question,<sup>3</sup> one difficulty of which lay, the Government of India pointed out, in the fact that ' our concessions regarding the import of arms, etc., into their country may suddenly be rendered null and void by some general obligations incumbent on us under the League of Nations '.<sup>4</sup>

The draft minimum, or ' gentlemanly ', treaty merely promised ' such facilities for the transport through India from British ports in India to Afghanistan of goods of all descriptions, including munitions and military stores, as may be convenient from time to time, and may not be inconsistent with the provisions of the Arms Traffic Convention ', and the Government of India concurred with Sir H. Dobbs' opinion of the great value to be attached to the complete freedom of action thus secured.<sup>5</sup> In the Treaty, as finally signed, however this freedom of action was not quite so complete. The relevant provisions are contained in Article VI, and the attached Letters I and II.

The question was raised again in 1925 :—

' War Office accordingly urges undesirability of flooding Afghanistan with arms which may reach frontier tribes subsequently '<sup>6</sup>

The Government of India however pointed out that this consideration could not prevail against Treaty obligations :—

' Treaty obligations compel us to give transit through India for any arms Afghan Government may purchase, as long as Afghan attitude is not unfriendly and provocative. From this obligation we can only escape by a new treaty, and we cannot conceive any treaty giving us relief in this respect, however favourable to us it may otherwise be '<sup>7</sup>

### 536. Import under the treaty of 1921.

(a) Stoppage.—During the Anglo-Afghan crisis of 1923 the right of stoppage was exercised in circumstances which have already been described,<sup>8</sup> after a warning had been given in writing.<sup>9</sup>

In connection with this stoppage certain minor questions came up for decision :—

Arms imported for State use of the Afghan Government, and held up on political grounds, should be stored free of demurrage and warehouse charges.<sup>10</sup> Samples in small quantities, and arms stated to be imported by the Amir for sport and not for military purposes, were not included in the embargo, but were allowed to pass, on receipt of the necessary details.<sup>11</sup> The cost of transporting the arms, from the docks to the Ordnance Depot for storage<sup>12</sup>, and of repacking them<sup>13</sup>, as

<sup>1</sup>Tel. 3307 (4-7-1921) from S. of S. to Viceroy (A. S. V, 473).

<sup>2</sup>Tel 208 (12-7-1921) from Br. Rep, Kabul, to G. of I. (A. S. V, 532).

<sup>3</sup>Tel. 242 (9-8-1921) from Br. Rep, Kabul, to G. of I. (A. S. VI, 114).

<sup>4</sup>Tel 1955 (14-8-1921) from Viceroy to S. of S. (A. S. VI, 133).

<sup>5</sup>Tel. 2239 (22-9-1921) from Viceroy to S. of S. (A. S. VI, 331).

<sup>6</sup>Tel. 2320 (1-9-1925) from S. of S. to Viceroy (F. 280-F, 184).

<sup>7</sup>Tel. 1112 (8-9-1925) from Viceroy to S. of S. (F. 280-F, 188).

[NOTE.—For estimates of the rifle armament of Afghanistan, see tel 2320 (1-9-1925) from S. of S. (F. 280-F, 184); Kabul tel. 131 (4-9-1925) (*ibid*, 186); minute by D M O (10-9-1925) (*ibid*, n. p. 31); Diary M. A., Kabul (4-6-1926) 1 (c); and Appendix to Diary M. A., Kabul (25-6-1926).]

<sup>8</sup>Para. 250.

<sup>9</sup>Para. 234.

<sup>10</sup>Kabul tel. 217 (14-7-1923) (F. 147-F, 1022 90).

<sup>11</sup>Tels. 967 (21-7-1923) from G. of I. to S. of S. and 971 (22-7-1923) from G. of I. to Min., Kabul (*ibid*, 94 and 85).

<sup>12</sup>Memo. 13405 [M.O. 1 (5-9-1923), from C. G. S., to S. C. (*ibid*, 104).

<sup>13</sup>Tel. 147 (19-3-1924) from G. of I. to Bombay (*ibid*, 175).

found to be required, was borne by the Government of India. Precautions were taken against deterioration of the arms,<sup>1</sup> and on release the cost of transport from the depot to the railway station was borne by the Government of India.<sup>2</sup>

An armed escort for the arms during transit to Peshawar was provided by the Indian military authorities.<sup>3</sup> The arms were carried free of cost from Peshawar to Landi Khana.<sup>4</sup> The request made by the Afghan Government for the concession of 'military' rates for carriage on the Indian railways was refused.<sup>5</sup>

The embargo placed in 1923 on the import of Afghan arms through India proved its value as a means of diplomatic pressure, but is unlikely to be as useful in the future as it was on that occasion.<sup>6</sup> (The necessity of importing arms from abroad again exposed the Amir to coercion during the Piparno crisis of 1925, when the Italian Government seized a consignment of arms worth £25,000 destined for Afghanistan.<sup>7</sup>)

(b) **Notification under Letter II.**—The Afghan Government are habitually remiss in the observance of their obligation, under Letter II, to give a detailed list of arms to the Minister at Kabul previously to importation.

The necessity of strict fulfilment of this condition has been repeatedly brought to their notice both in Kabul and London.<sup>8</sup>

**537. Protection of consignments in India.**—The difficulty arising from the lack of an organised transport service, which would enable the Afghan Government to remove their consignments of arms directly they arrive at Peshawar, is a source of great inconvenience to the Government of India, and the Afghan Foreign Minister has been informed that 'the provision of armed guards over Afghan arms is at all times inconvenient and expensive, and cannot be allowed to develop into established practice.'<sup>9</sup> The Afghan Government is charged demurrage at concession rates on consignments not removed within 24 hours.<sup>10</sup> Delivery cannot in present circumstances be given at Landi Khana.<sup>11</sup>

**538. Abuse of Treaty Concessions and Diplomatic Privileges.**—In September 1925 facilities were applied for in Form A for the transit of 238,600 sporting cartridges. The consignment was released, although it was noted that it could hardly be intended 'for the public services of Afghanistan'.<sup>12</sup>

In August 1926 Muhammad Aziz Khan, a Counsellor of the Afghan Legation in Paris, failed to declare arms which were included in his baggage, and the point was brought to the notice of the Afghan Foreign Minister.<sup>13</sup> S. Ghulam Siddiq Khan ex-Minister at Berlin had been concerned in a similar case in December 1925.<sup>14</sup>

**539. Arms smuggling.**—A case of smuggling by Muhammad Aslam, an Afghan State student, occurred in March 1925. The accused was sentenced to nine months' imprisonment, but this was subsequently remitted on political grounds.<sup>15</sup>

**540. Lack of uniformity in Afghan armament.**—The system followed by the Afghan Government of buying their arms in the cheapest market has naturally resulted in a complete lack of uniformity in armament, and the consequent inconvenience was acutely felt during the Khost rebellion. The lists of arms forwarded by the Afghan Government for recovery after the rebellion are eloquent of the state of affairs. These mention American, French, and Italian rifles, besides Martinis and Lee Enfields.<sup>16</sup> The Afghan Government have more than once

<sup>1</sup>Tel. 237 (28-1-1924), from G. of I. to Min. Kabul (F. 147-F. 1922, 141).

<sup>2</sup>Tel. 13405 (5-4-1924) from C G S. to S. C. (*ibid* 189).

<sup>3</sup>Tel. 716 (8-4-1924) from G. of I. to Bombay (*ibid* 191).

<sup>4</sup>Tel. 846 (29-4-1924) from G. of I. Min Kabul (*ibid* 208).

<sup>5</sup>Memo 147 (29-5-1924), from G. of I., to C. d'A. Kabul (*ibid* 255).

<sup>6</sup>Kabul despatch 56 (4-12-1923) Para. 7 (3) (A. S. XI. 40).

<sup>7</sup>Kabul tel. 92 (29-6-1925) (A. S. XVIII. 167).

<sup>8</sup>E.g., Kabul tel. 29 (31-5-1922) (F. 147-F. 1) and F O letters (5-3-1923) and (6-2-1926) to Af. Min. (*ibid*, 50 and F. 38-F. 1926, 18).

<sup>9</sup>Letter (25-5-1925) from Min. Kabul to Af. For Min (F. 280-F. 86).

<sup>10</sup>Tel. 11333 (18-8-1925) from C G. S. to Peshdist. (*ibid* 155).

<sup>11</sup>(F. 38-F. 1926, 90, 143).

<sup>12</sup>(F. 280-F. n. p. 34).

<sup>13</sup>Kabul memo. 458/2 (13-9-1926) (F. 38-F. 105).

<sup>14</sup>Tel. 455 (13-2-1926) from S. of S. to Viceroy (*ibid* 11).

<sup>15</sup>(F. 280-F. 1925).

<sup>16</sup>Enclo. to Kabul memo. 68-20 (24-7-1925) (A. S. XVIII. 215).

expressed their determination to standardise their armament, but do not as yet appear to have taken any definite step in this direction.

'The Chief of Staff... said that the War Office were desirous of standardising the armament. The obstacle hitherto had been their Ministers in foreign capitals. These flooded the country with their purchases.'<sup>1</sup>

#### B.—SUPPLY OF ARMS TO AFGHANISTAN.

541. Before the present treaty.—It has been noticed that by the Durand Agreement the Government of India undertook to give Amir Abdur Rahman 'some assistance', and that it was subsequently noted that there had been no instance reported of the Amir allowing his arms to get into the hands of tribesmen.<sup>2</sup>

The supply of arms was not included in the Mussoorie *Aide Memoire*<sup>3</sup> among the forms of material assistance which might be given to Afghanistan, but, during the Kabul negotiations, offers of considerable quantities of arms were made under the 'Exclusive' policy, in the event of hostilities between Afghanistan and Russia.<sup>4</sup>

542. Since the conclusion of the present Treaty.—The Kabul Treaty of 1921 did not of course include any provision regarding the supply of arms, but the question was raised by the Afghan Foreign Minister in 1922, when he enquired whether the British Government would supply Afghanistan at the lowest possible price with 10,000 .303 rifles of an up-to-date type.<sup>5</sup>

The discussions of this proposal mentioned the following considerations :—

- (1) It would be advantageous for the Afghan Army to be supplied with British weapons, as this would give us the power of control, and accurate information as to its armament.
- (2) To supply the latest pattern British rifle would be objectionable, as putting the armament of the Afghan Army on a level with our own troops.
- (3) If the Amir obtained foreign rifles at a low price they would be inferior, and the fact would counterbalance the disadvantage of losing control of supply.
- (4) The quantity of ammunition supplied should be restricted to reasonable quantities.
- (5) If the Afghan rifles were to come into the hands of tribesmen, foreign rifles would be less dangerous than British, owing to the comparative difficulty of obtaining ammunition for the former.<sup>6</sup>

The Minister at Kabul was opposed to free issue, but in favour of the sale of first rate quality arms at concessional rates.<sup>7</sup>

The Government of India were in favour of the supply of either latest pattern arms at full rates, or of earlier pattern arms at concessional rates. They considered that two stipulations should be made—

- (a) that the arms supplied should not be transferred to Russian insurgents,
- (b) that they should never be passed on to the tribes,<sup>8</sup>

although it is not clear how fulfilment of these stipulations was to be enforced. The Army Council and His Majesty's Government generally agreed<sup>9</sup> with the views of the Government of India, and the Afghan Foreign Minister declared

<sup>1</sup>Diary M. A. Kabul (1-1-1926) and see Kabul tels 70 (7-8-1922) (F. 147 1922, 38), 131 (4-9-1925) (A. S. XIX. 6) and 175 (8-9-1924) (A. S. XVI. 59).

<sup>2</sup>Para. 530. In this connection it may be noted that the Afghan Government have prohibited the export of Arms from Afghanistan, although it is doubtful how far this prohibition is enforced. 'The Foreign Minister.....remarked that the new rule should be welcomed by the British Government as it would tend to prevent the supply to the frontier tribes of arms from the Afghan market' (Kabul memo. 307, (15-9-1923) A. S. VIII, 291).

<sup>3</sup>Para. 99.

<sup>4</sup>Para. 157.

<sup>5</sup>Kabul tel. 70 (7-8-1922) (F. 330-F. 1).

<sup>6</sup>(F. 330-F. 1922-3).

<sup>7</sup>Kabul tel. 70 (7-8-1922) (*ibid* 1).

<sup>8</sup>Tel. 1133 (12-9-1922) from Viceroy to S. of S. (*ibid* 4).

<sup>9</sup>(*ibid* 11-14).

his readiness to give the stipulations desired.<sup>1</sup> This transaction however fell through.

The whole question was discussed at length in Kabul despatch 56 of 4th December 1923, in which the tentative conclusion was reached that ' arms in reasonable quantities might form part of a subsidy in kind.'<sup>2</sup>

When the Khost rebellion was at its height, the Afghan Government had asked for the immediate supply on payment of 30 Lewis guns, 4 ten pounder guns and 3,000 short .303 rifles. The Government of India commented :—

' We do not see any reason to alter our opinion that advantage lies on the whole in Afghanistan procuring arms from us, as she can procure them freely whence she pleases.'<sup>3</sup>

The rifles, Lewis guns and ammunition were supplied, but not the ten pounder guns. An advance payment of 3½ lakhs was made.<sup>4</sup>

It was suggested by Sir F. Humphrys that the balance due, amounting to about 2½ lakhs, might be waived :—

' I am opposed in principle to presents of war material but sale at concessional rates say £3 a rifle might, if money were paid in, be considered '<sup>5</sup>

His Majesty's Government concurred in this suggestion,<sup>6</sup> and the Government of India was prepared to accept Sir F. Humphrys' opinion in the matter :—

' In framing it you will no doubt bear in mind that wiping out of balance would apparently constitute in effect cash gift, which it is understood you deprecate, and might make it unlikely that Afghan Government would ever pay up hereafter for arms or anything else in full '<sup>7</sup>

In October 1925 the Government of India stated their views on the question of principle, which had been raised in the Kabul despatch of December 1923 :—

' We are not in favour of a gift, or of the sale at concessional rates, of military equipment other than transport vehicles.'

With this view Sir F. Humphrys was stated to be in ' complete agreement '.<sup>8</sup>

The conclusion now reached appears therefore to be that it is desirable that Afghanistan should obtain munitions from India, but only on payment at full rates.

<sup>1</sup>Kabul tel. 127 (24-11-1922) (F. 330-F. 23).

<sup>2</sup>Para. 9 (e) (A. S. XI. 40)

<sup>3</sup>Tel 1359 (1-9-1924), from G. of I., to S. of S. (F. 330-F. 44).

<sup>4</sup>Tel 1989 (30-12-1924), from G. of I., to Min. Kabul (*ibid* 98).

<sup>5</sup>Kabul tel 60 (13-5-1925) (*ibid* 111)

<sup>6</sup>Tel. 1882 (10-7-1925), from S. of S., to Viceroy (*ibid* 112)

<sup>7</sup>Tel 887 (2-7-1925), from G. of I., to Min. Kabul (*ibid* 113).

<sup>8</sup>Tel. 1323 (22-10-1925), from Viceroy, to S. of S. (A. S. XIX, 67).

## CHAPTER XXIX.

### AIR MATTERS.

543. **The Afghan Airforce—(A) In prospect.**—It was in all probability the bombing of Kabul by a British aeroplane on May 24, 1919,<sup>1</sup> which impressed on the Amir the vulnerability of his capital from the air, and implanted in him a determination to have an airforce of his own.

S Mahmud Tarzi displayed his interest in the subject on his arrival at the Frontier on his way to the Mussoorie Conference,<sup>2</sup> where it was discussed at the fourteenth meeting and Sir H. Dobbs was careful to impress on the Afghan delegates the necessity of adequate arrangements for maintenance and repair.

Enquiries regarding air personnel were made from Germany in 1920,<sup>3</sup> and it was probably as a result of these that the German airmen, Weisz and Brustmann, were subsequently engaged.

In January 1921, while the British Mission was at Kabul, a British aeroplane lost its way, and made a forced landing at Katawaz. The pilots were brought to Kabul and released, but the machine was retained :—

‘ You keep your officers and we keep the machine<sup>4</sup>. ’

The Russo-Afghan Treaty provided in its secret clauses for a gift of twelve aeroplanes to the Afghan Government.<sup>5</sup>

‘ Aviators to carry out training ’ were also stated to have been provided<sup>6</sup>.

The proposals for material assistance to Afghanistan under the ‘ exclusive ’ policy, in the event of hostilities with Russia, included the gift of six aeroplanes and ‘ an undertaking to train some Afghans beforehand in flying ’; and the Air Council’s view was that—

‘ if Afghan Air Force is contemplated, every endeavour should, in view of potential dangers, be made to prevent such force from falling under any other than British influence, and that units of Royal Air Force in India should therefore carry out the training of Afghan personnel<sup>8</sup>. ’

At an interview with the Amir, after the signature of the Treaty, Sir H. Dobbs was asked for one first class aeroplane as a gift, and there was some idea of Sir F. Humphrys taking one to Kabul for presentation, but the idea was eventually dropped<sup>9</sup>. (These discussions include a rough estimate of the monthly cost of maintaining six Avros<sup>10</sup>).

Two ‘ ancient dud machines ’ were presented by Russia in 1921<sup>11</sup>, and two Italian aeroplanes were imported through India by road in 1922. There were then five machines in Kabul ; one British, two Russian, and two Italian, but none of these was fit to fly<sup>12</sup>.

The application for transit of the Italian machines gave rise to a discussion of the attitude to be adopted by His Majesty’s Government in regard to the projected airforce.

Sir F. Humphrys said :—

‘ My present experience... ....of local financial, political, and technical, conditions leads me to suppose that obstacles are almost insuperable to successful mainten-

<sup>1</sup>Para. 45.

<sup>2</sup>Memo. 1050 (14-4-1920) from N. W. F., to G. of I. (Progs. Oct. 1920—406).

<sup>3</sup>(A. S. IV 646)

<sup>4</sup>Memo. 147 (26-1-1921), from Br. Rep., Kabul, to G. of I. (*ibid.* 787).

<sup>5</sup>Tel. 151 (3-6-1921) from Br. Rep., Kabul, to G. of I. (A. S. V 306).

<sup>6</sup>Tel. 293 (13-9-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI 305).

<sup>7</sup>Tel. 97 (21-4-1921) from Br. Rep., Kabul, to G. of I. (A. S. V 182).

<sup>8</sup>Tel. 3412 (11-7-1921), from S. of S., to Viceroy (*ibid.* 513).

<sup>9</sup>Tel. 412 (30-11-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI 646).

<sup>10</sup>F. 293 F. 1922 (N. pp. 5—6)

<sup>11</sup>Telegram 412 (30-11-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI 646).

<sup>12</sup>Kabul despatch 56 (4-12-1923) (A. S. XI 40).

ance of Afghan Air Force in near future, manned, and paid for, by Afghans. Power taking responsibility for Afghanistan at present juncture is, if my view is correct, likely to incur considerable odium from subsequent collapse of ambitious project, though it may enjoy immediate prestige . . . . This means presumably that, until Afghan pilots are trained, it is the intention of the Afghans to employ Turks or Russians to fly machines . . . . If it is held that attitude justifying stoppage under Treaty Article VI, read with attached letter from Dobbs, is indicated by employment, even temporarily, of Russian aviators on such machines, I request instructions whether I should demand from Afghan Government an assurance that machines will not be flown by Russians, before they are permitted to leave Bombay<sup>1</sup>.

The Government of India considered that the intention of the Afghan Government to import Russian machines, and to employ Russian aviators, (of which information had been received from other sources) could not be construed as an attitude justifying stoppage of the aeroplanes under the Treaty<sup>2</sup>.

His Majesty's Government agreed that it was unnecessary to object to the passage of the present consignment, and added :—

' Question can be further pursued as a general one, if employment of Russians becomes an accomplished fact, and should it be thought desirable<sup>3</sup>'.

The question cropped up again at once, in connection with an enquiry regarding aircraft made by the Afghan Consul at Bombay from Rolls Royce.

The Government of India asked the Minister for his views:—

' The force of your general arguments as contained in telegram 42 is appreciated by the Government of India, but they are inclined to the opinion that if the Afghans are really intending to do business with the Rolls Royce Company, the fact that the Russian mechanics have failed, and that there are no Italians present to fly the latest imports, gives us an excellent chance of getting the organisation of the aviation in Afghanistan into British hands<sup>4</sup>'.

Sir F. Humphrys stated in reply:—

' Afghan Government . . . cannot afford civil aviation, and I presume that is not their object. It is presumably military, and they wish either that (1) Rolls Royce experts should hand over machines to Afghan personnel and leave the country, after giving few demonstration flights. If successful such demonstrations would enhance British prestige, which would not be impaired by probable subsequent disasters, or (2) Demonstrations followed by training by Rolls Royce of representatives of Afghan air force. In present conditions this is unlikely to be successful, and in popular estimation would, even if His Majesty's Government took no responsibility, involve credit of His Majesty's Government. As British prestige here would be seriously weakened by costly failure, I consider it essential that any scheme of this kind should have reasonable certainty of success. I suggest Rolls Royce representative should visit Kabul, and discuss the question with Afghans and myself before case proceeds further . . . . It is quite likely that, if second scheme is inaugurated, Amir will apply to His Majesty's Government for financial assistance, when he realises great cost of efficient maintenance, in hopes of political considerations prevailing to prevent failure of British enterprise<sup>5</sup>'.

It transpired however that the Afghan enquiries were not serious, and nothing more was heard of the scheme.

A review of the situation was given in Kabul despatch 56 of December 4, 1923, in which the opinion was offered that with foreign personnel and effective machines the Amir might be able to maintain, for a short time, a small and fairly efficient force, and that during this period the power which lent the personnel would enjoy considerable prestige. The real test would come when that power undertook the training of Afghans, and the Amir decided to dispense with foreign personnel, under the impression that Afghans were capable of maintaining his air force in a state of efficiency. It was considered that a gift of aeroplanes might suitably form part of a ' subsidy in kind ', provided no responsibility were taken for their maintenance<sup>6</sup>.

<sup>1</sup>Kabul tel. 42 (15-6-1922) (A. S. VII 440).

<sup>2</sup>Tel. 824 (19-6-1922), from Viceroy, to S. of S. (*ibid*, 446).

<sup>3</sup>Tel. 2434 (24-6-1922), from S of S, to Viceroy (*ibid*, 465).

<sup>4</sup>Tel. 939 (14-7-1922), from G of I, to Min., Kabul (F. 265-F 13).

<sup>5</sup>Kabul tel 60 (22-7-1922) (*ibid*, 16).

<sup>6</sup>(A. S. XI 40).

**544. (B) In being. Sale of British machines to the Afghan Government.**—When the Khost rebellion began to assume menacing dimensions, the Afghan Government asked for the supply of six aeroplanes on payment from the British Government; two bombers, two scouts, and two training machines. The Amir intended, it was stated, to have about 40 machines and to get them all from His Majesty's Government. He hoped that Afghan youths could be trained in flying in India<sup>1</sup>. After considerable discussion the Afghan Government agreed, in view no doubt of the increasingly dangerous aspect of the Khost rebellion, to the two conditions prescribed :—

- (1) delivery by air,
- (2) prior visit of a R. A. F. Officer to Kabul.

Two Bristol Fighters were flown to Kabul on August 22, 1924<sup>2</sup> and payment was made for them by the Afghan Government<sup>3</sup>.

The Government of India were opposed to making a free gift of these machines on the following grounds :—

- (1) 'Afghan Government have not asked for it,
- (2) gift might be interpreted as admission of greater culpability over Abdul Karim on our part than we are prepared to admit,
- (3) it is important that Afghan Government should realise something of the financial commitments of aircraft policy from the outset<sup>4</sup>.

The technical difficulties involved in the maintenance of an air force were fully explained to the Afghan authorities by Wing Commander Johnston, the R. A. F. Officer deputed to Kabul<sup>5</sup>.

A request that British pilots should fly machines over the rebel forces, while bombing would be carried out by Afghan officer passengers, was refused<sup>6</sup>. Enquiries were made by the Afghan Foreign Minister as to whether British civilian pilots were available. He was informed by Wing Commander Johnston that in all probability there were none in India<sup>7</sup>. Reasons against the employment of British personnel in the Afghan Air Force were stated in Kabul memorandum 693 of August 30, 1924<sup>8</sup>, and, in the reply given to the Afghan Government on the point, no hopes were held out that such personnel could be engaged<sup>9</sup>.

**545. The Air Force under Russian control.**—Although the supply of British machines to the Amir at the time of his extreme need had an excellent political effect, it had the unfortunate result of facilitating the arrival of Russian machines at Kabul. The Russo-Afghan Treaty provided, as has been mentioned, for the gift of aeroplanes and the loan of personnel, but the Afghan Government had hitherto objected to the delivery of the machines by air<sup>10</sup>.

They would probably have withdrawn this objection sooner or later, but, after the arrival of the British machines by air, they could clearly maintain it no longer, and in October 1924 five Russian machines were flown from Termez to Kabul. Six more arrived in the following year. A note on the subject of aviation in Afghanistan, forwarded with Kabul despatch 145 of December 12, 1924, described the situation at that time, and gave Sir Francis Humphrys' views as to the Amir's intentions<sup>11</sup>.

Further information regarding the state of the Afghan air force is contained in Kabul despatch 64 of August 5, 1925<sup>12</sup>, Major Dodd's note forwarded with Kabul despatch 46 of June 26, 1926<sup>13</sup> and Kabul despatch 92 of September 27, 1926 which gave the views expressed by Mr. Patwardhan, an Indian employed in the Afghan air force<sup>14</sup>.

<sup>1</sup>Kabul tel. 112 (23-5-1924) (F. 265, 32), and despatch 68 (23-5-1924) (*ibid* 33)

<sup>2</sup>Tel 1324 (22-8-1924) from Viceroy, to S of S. (*ibid* 103).

<sup>3</sup>Kabul memo 221/S (25-2-1926) (*ibid* 172).

<sup>4</sup>Tel. 1260 (8-8-1924), from Viceroy, to S of S (*ibid*, 67).

<sup>5</sup>Kabul memo 693 (30-8-1924) (*ibid* 115).

<sup>6</sup>Kabul tel. 155 (17-8-1924) (*ibid* 82).

<sup>7</sup>Kabul tel. 164 (27-8-1924) (*ibid* 113).

<sup>8</sup>(*Ibid*, 115).

<sup>9</sup>Enclo. to Kabul memo 693 (30-8-1924). (*ibid* 115).

<sup>10</sup>Kabul tel. 112 (23-5-1924) (*ibid*, 32) and R. O. letter No. 5225/610/97 (1-7-1924), (*ibid*, 56).

<sup>11</sup>(A. S. XVII 52).

<sup>12</sup>(F. 203 F. 14).

<sup>13</sup>(*Ibid*, 38).

<sup>14</sup>(*Ibid*, 39).

The main points which emerge from these reports may be summarised as follows:—

- (1) The maintenance of aeroplanes in a state of efficiency in such difficult conditions as exist in Kabul, where there is no repair shop and the variations in temperature are extreme, argues great efficiency on the part of the Russian mechanics.
- (2) The Russian pilots are highly capable, with several years of flying experience. Their pay is from £42 to £45 a month. 'They are treated by the Afghans in a manner that no British rank would stand, and are badly housed in the bazar'.
- (3) The effective equipment of the air force is:—10 D. H. 9's, 1 Junker six seater monoplane, and 2 Bristol Fighters. Not all of these however are in flying condition at any one time.
- (4) The Russians have ousted the German and Indian air personnel, employed from time to time by the Afghan Government.
- (5) 'The so-called Afghan Air Force is to all intents and purposes a Russian Service and may indeed be regarded as a Russian advanced base. .... In the event ... of a serious rebellion which threatened the capital, it is doubtful whether the Russian aviators would support the Central Government'.

As at present constituted therefore, the Afghan Air Force constitutes a potential source of danger, rather than of strength, to Afghanistan.

'The value of the force as propaganda is considerable but as an advanced squadron of a large fighting force based, say, on Termez its effectiveness is doubtful'.

The Amir is believed to intend to get rid of the Russian personnel at the earliest possible opportunity.

- (6) The air force however at its present strength, can only be maintained at the expense of the Soviet, and their financial support would be withdrawn if their personnel were replaced by Afghans or others.

If the Afghan air force were dependent on Afghan revenues alone for its maintenance, it would probably dwindle to the—

'half dozen machines, which should be sufficient for all practical purposes for the needs of Afghanistan in the country's present state of development'.

**546. British policy in regard to the Russo-Afghan Air Force.**—As already noticed, Sir F. Humphrys foresaw the possibility of the Afghan Air Force being manned by Russian personnel, as long before as 1922, and referred the point for instructions<sup>1</sup>.

In 1924 Mr. Macnachie was instructed to display no interest on the arrival of the Russian machines<sup>2</sup>, and it was not until the autumn of 1925 when the whole question of countering 'Russian infiltration'<sup>3</sup> into Afghanistan was examined that this attitude was modified.

The Government of India then discussed the possibility of objecting to the 'Russification' of the Afghan air force in one of the following ways:—

- (1) By declaring the presence of Russian personnel in the Afghan air force to be unfriendly and provocative within the meaning of the Treaty.
- (2) By notifying refusal of transit through India of aeroplanes, spares, and spirit, except in return for a written guarantee against the subsequent use of these by Russians.
- (3) 'To say that in the same way as we have declined to tolerate the presence of Russian Consulates in the South eastern zone, as being anti-British in design and effect, so we should regard Russian aviation personnel in the South eastern zone as unfriendly and provocative, and should take our stand on the Treaty accordingly'.

Reasons were given against the first two of these courses, and in support of the last<sup>4</sup>.

<sup>1</sup>Para 543.

<sup>2</sup>F. O. tel. 45 (25-9-1925) (A S XVI 142).

<sup>3</sup>Tel 1255 (7-10-1925) from Viceroy to S. of S. (F. 203-F. 20).

<sup>4</sup>(*Ibid.*).

His Majesty's Government were not inclined to favour the proposal; the main objections to which were stated as being that

- (1) Afghans would have good grounds for saying that the proposed attitude was unreasonable, in view of previous British policy in the matter :
- (2) mere stationing of Russians at Jalalabad was apparently not regarded as a serious additional menace, either on military or political grounds :
- (3) it did not offer any certain prospect of ousting Russian personnel :
- (4) it would involve interference with development of the Afghan air force, arouse suspicion, and involve risk of friction<sup>1</sup>.

At the same time the Minister telegraphed that the Amir was reported to be intending to spend two or three months at Jalalabad :—

'He will probably wish to take aeroplanes and Russian air personnel with him to complete Jalalabad aerodrome, construct hangar, and carry air mail between Jalalabad and Kabul I suggest that I should at once inform Foreign Minister that His Majesty's Government would consider as unfriendly and provocative in effect the following :—

- (1) Flying by Russians in vicinity of Indo-Afghan border or anywhere east of Jalalabad or Ghazni, or south east of Kandahar.
- (2) Construction of hangars in Eastern, Southern, Ghazni, or Kandahar Province for use by Russian personnel
- (3) Presence of Russian air personnel in Eastern, Southern, Ghazni, or Kandahar Province, for any purpose other than for carrying air mail for Amir when on tour away from the capital. ....

Those stipulations which I have suggested above will undoubtedly be contested by him (*i.e.*, the Amir) and he might even seize the opportunity of denouncing the treaty. But time has, in my opinion, come to make it clear to Amir that we will not tolerate Russian air bases near frontier of India".

On receipt of the Secretary of State's telegram Sir F. Humphrys added further observations :—

'Vital question is whether a present or future menace to Indian interests would be constituted by establishment of permanent air bases at Jalalabad, Ghazni, or Kandahar, manned wholly or partially by Russians. As I believe that such bases would develop quickly into foci of anti-British intrigues, and their activities would be more difficult to watch and counteract than those of Consulates at those places, I would unhesitatingly answer in the affirmative in a political sense. .... What I would recommend is that British efforts should be directed, not towards establishing British connection with an Afghan air force, but to restrict sphere of Russian activities with that force by fair and reasonable means (in general interests of Afghanistan as well as of India). This should ultimately lead to disappearance of Russian personnel, and Afghan military air force will die natural and unlamented death<sup>2</sup>'.

The Government of India in the main supported the Minister's view:—

'The theoretical ideal which we have endeavoured to pursue in the past has been an attitude of friendly indifference towards Amir's flirtations with Russia. Nevertheless ..... we feel that, in this particular case, gamble is one which we are not justified in facing. For we are clear that the establishment of Russian controlled air station at Jalalabad, or elsewhere in the four provinces in the south eastern zone, would constitute a serious addition to our military menace (burdens?) and, combined with routine flying by Russians along our North-West Frontier, a political menace, akin to but much more serious than Russian Consulates in Jalalabad, Kandahar and Ghazni. .... While agreeing generally with the Minister's telegrams ..... we consider that we should studiously confine ourselves to objecting to the presence of Russian aviators in the south eastern zone, except on occasional visits by the Amir (*vide* the analogy of the Russian Minister), and in the event of actual operations against the rebellious tribes, such as occurred in Khost last year, and should studiously avoid language like that of Minister's second point in his telegram No. 154<sup>3</sup>, which could be interpreted as dictating to the Afghans the internal disposition of their forces. .... In general we feel that,

<sup>1</sup>Tel. 3187 (2-12-1925) from S of S., to Viceroy (F. 203-F. 21).

<sup>2</sup>Kabul tel. 154 (2-12-1925) (*ibid* 22).

<sup>3</sup>Kabul tel. 159 (9-12-1925) (*ibid* 23).

<sup>4</sup>i.e., regarding the construction of hangars.

while the Afghan air force remains in Russian control, we ought not to go out of our way to facilitate its maintenance. We should do everything we are bound to do under the Treaty, and nothing more<sup>1</sup>

His Majesty's Government then sanctioned an oral and informal warning being given to the Afghan Government on the lines of the Minister's proposals, subject to the modifications suggested by the Government of India<sup>2</sup>.

In March, 1926, the Minister discussed the subject with the Amir :—

' I relied upon His Majesty to prevent opportunity being afforded to Soviet of producing tension between our two countries by means of Russian personnel in south eastern Afghanistan I asked for a definite assurance on this point. After a long discussion, a solemn promise was given to me by the Amir that Russian airmen would never be allowed to visit Kandahar, Ghazni or Jalalabad, except on temporary duty to carry mail to and from Kabul when Amir was on tour. They would not be permitted to fly anywhere beyond the direct line between these places and the capital, or, except when in personal attendance on himself, to remain for a day anywhere in the south eastern zone... ... .  
Amir . . . promised he would get rid of every Russian out of his air service as soon as he could obtain efficient substitutes '<sup>3</sup>

These undertakings were regarded by His Majesty's Government as satisfactory<sup>4</sup>.

In March 1926 it was reported that three hangars were being constructed at Jalalabad<sup>5</sup>, and, during the Amir's stay at that place from April 20 to June 8 1926, communication with Kabul was regularly maintained by aeroplane service<sup>6</sup>.

In June 1926 the subject was again discussed by the Minister with the Amir, who slightly modified his previous undertakings :—

' It was inevitable sometimes that Afghan aeroplanes should be flown in the south eastern zone when they were not strictly carrying His Majesty's mails For instance, an aeroplane had been sent from Jalalabad to Kandahar to announce the Amir's impending visit . . . . He had now cancelled this visit, and was sending the Junker passenger machine to fetch the Governor of Kandahar..... . Another machine had been sent to the Kunar valley to overawe the Safis . . . . He reiterated his intention of getting rid of all the Russian personnel from the Afghan air force, as soon as he could find substitutes '<sup>7</sup>

**547. Summary of British policy in the matter.**—The germ of the Russo-Afghan air force was contained in the secret clauses of the Russo-Afghan Treaty. His Majesty's Government at first adopted an attitude of indifference towards the scheme, which was only put into effect after the Amir had failed to obtain the necessary personnel from Germany and Great Britain.

Later however this attitude was abandoned, and the Amir was made aware of the dislike with which the scheme was regarded by His Majesty's Government by

- (1) a warning against the employment, except for strictly temporary purposes, of Russian personnel in the South Eastern zone ;
- (2) a refusal to supply spares and accessories from Government factories for the upkeep of the Afghan air force while manned by Russians<sup>8</sup>.

**548. The Russian and Afghan attitudes towards the Air Force.**—A minute by Sir D. Bray, dated May 23rd, 1926<sup>9</sup> points out the advantages accruing to Russia from the provision for a cash subsidy in her treaty with Afghanistan coupled with her refusal to allow Afghanistan to draw this subsidy except in kind, and the use made of this advantage to organise and maintain an Afghan air force manned by Russian personnel. There are indications that Russia fully realises that her control of the Afghan air force is the most striking illustration of the

<sup>1</sup>Tel. 1708 (21-12-1925), from Viceroy, to S of S (F 203 F. 24).

<sup>2</sup>F O. tel 41 (24-12-1925) (*ibid* 26).

<sup>3</sup>Kabul tel. 43 (5-3-1926) (*ibid* 32).

<sup>4</sup>F. O tel 13 (17-3-1926) (*ibid* 34).

<sup>5</sup>Kabul tel 51 (30-3-1926) (*ibid* 37).

<sup>6</sup>Kabul despatch 46 (26-6-1926) (*ibid* 38).

<sup>7</sup>Kabul despatch 45 (26-6-1926) (A. S. XX, 97).

<sup>8</sup>Para 550.

<sup>9</sup>(A. S. XX, n. p. 4).

success of her Afghan policy, and that she intends, in future negotiations with Afghanistan, to make the expansion of this air force and the continuance of her own control over it, the conditions precedent to the fulfilment of her other obligations<sup>1</sup>. The Amir professes himself conscious of the disadvantages of having his air force manned by Russian personnel<sup>2</sup>; and his sincerity in this particular is rendered more probable by the fact that, in spite of the secret clauses in his Treaty with Russia, he made serious attempts to recruit his air personnel from elsewhere. The suspension of the Russian airmen on the occasion of the Urtatagai incident was of course inevitable, but must have further impressed on the Amir the drawbacks attending their employment<sup>3</sup>.

Whether the Amir's air policy is definitely unpopular or not with his own subjects, it is difficult to say.

'The remark was made to me recently by a very influential Sardar that the Afghans were trying to fly before they could walk, that every rupee spent on air force was money thrown down a well, and that the educated classes generally felt strong dissatisfaction at an enemy being in control of the flying arm. This statement would apply equally to British as to Russians, and I see no reason to doubt the sincerity of it.'<sup>4</sup>

**549. Supply of aviation spares and accessories from India.**—In May 1924, during the Khost rebellion, a request was made by the Afghan Government for certain aeroplane accessories on payment. These accessories were not for use in connection with the British machines sold at the same time to the Afghan Government, but were intended for the machines already in their possession.<sup>5</sup> They were supplied on payment<sup>6</sup>.

In August 1925 the question was raised by Sir F. Humphrys in connection with the supply of spares and accessories to what was then an air force under Russian control.

'I recommend strongly that aviation spirit be treated as war material, and that import into Afghanistan, except on application through official channel, of spirit, or other aviation stores, should not be permitted.'<sup>7</sup>

The Government of India in their comments mentioned the legal difficulties involved under the Treaty, and distinguished between (1) engine and armament spares, and (2) fabrics, rigging and oils; the first could be controlled to some extent, but the second, which were on the open market, could not be controlled at all<sup>8</sup>.

The Secretary of State pointed out that under the new Arms Traffic Convention which, although not yet in force, had been signed on behalf of His Majesty's Government and India,

'Aircraft and still less aviation spirits are not regarded as necessarily war material. We might be accused, if Humphrys' recommendations were adopted, of unjustifiably discriminating against Afghanistan. Moreover it would be to our advantage that Afghan Government should come to rely on India for commodities supply of which, in time of war, we should cut off.'<sup>9</sup>

The Government of India soon afterwards remarked:—

'We could apparently put temporary obstacles in the way so far as spares and spirit are concerned, but at the cost, in all probability, of driving the Afghans still further into the hands of Russia, and of the eventual development of the northern route. At the same time, we propose to consider how best we can keep a check on the export of aeroplanes and aviation stores supplied through India to the Afghan Government.'<sup>10</sup>

On receiving a copy of an Air Ministry letter in which it was held that the Government of India would be justified in treating aircraft material for Afghanistan as munitions of war, Sir F. Humphrys telegraphed suggesting that all aviation stores whatsoever should be declared munitions under Article VI of the Treaty, and not obtainable from India without official application by the Afghan Government<sup>11</sup>.

<sup>1</sup>See G. of I. despatch 9 (7-10-1926).

<sup>2</sup>Para. 546.

<sup>3</sup>Kabul tel. 164 (23-12-1925) (A. S. XIX, 150).

<sup>4</sup>Kabul tel. 159 (9-12-1925) (F. 203, 23).

<sup>5</sup>Kabul memo. 323 (30-5-1924) (F. 265 F. 35).

<sup>6</sup>Kabul memo. 451 (12-7-1924) (*ibid* 52).

<sup>7</sup>Kabul tel. 126 (31-8-1925) (F. 495 F. 2).

<sup>8</sup>Tel. 1115 (8-9-1925), from Viceroy, to S. of S. (*ibid* 3).

<sup>9</sup>Tel. 2380 (7-9-1925), from S. of S., to Viceroy (*ibid* 4).

<sup>10</sup>Tel. 1255 (7-10-1925), from Viceroy, to S. of S. (*ibid* 8).

<sup>11</sup>Kabul tel. 161 (18-12-1925) (*ibid*, 12).

The Government of India considered that, in view of the objections pointed out in the Secretary of State's telegram of September 7, the course proposed seemed hardly practicable, while it appeared impossible to apply the Arms Act. The Minister was asked his opinion as to the possibility of making use of the word 'ordinarily' in Article VI to declare that the control of the Afghan air force by Russians constituted an extraordinary state of things, and so necessitated the imposition of control over the export for its use, of spares and accessories.<sup>1</sup>

Sir F. Humphrys was not in favour of this suggestion, and preferred a notification under the Indian Aircraft Act.<sup>2</sup>

**550. Refusal of application by Afghan Government for official supply.**—In July 1926 he received an official request for the supply on payment from British Government factories of certain aircraft material.<sup>3</sup>

With the approval of His Majesty's Government, Sir F. Humphrys expressed his inability to forward this application, in view of

'manifest absurdity of British Government acting as feeder to Air Force in Afghanistan controlled by Russians, and said that remedy lay in the hands of Afghans themselves.'<sup>4</sup>

**551. Issue of a notification.**—The question was dealt with by a Government of India Gazette notification No. 444-F., dated September 22, 1926 :—

#### NOTIFICATION.

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as in force in British India and as locally applied, the Governor-General in Council is pleased to prohibit the bringing of aircraft, or parts of aircraft, by land into any of the areas specified in the first column of the subjoined table, save under a license granted by the authority specified in the corresponding entry in the second column thereof :—

TABLE.

<i>Area.</i>	<i>Authority.</i>
(1) The administered Districts and Political Agencies of the North-West Frontier Province.	The Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
(2) British Baluchistan and the Baluchistan Agency Territories.	The Chief Commissioner, British Baluchistan, and Agent to the Governor-General, Baluchistan.

**Explanation.**—For the purposes of this notification the expression 'parts of aircraft' shall mean such parts as are indispensable for the operation of the type of aircraft for which they are intended, and for that purpose have been given a special shape or quality, which would not be essential for their use for any other purpose.

**552. Sources of supply of spirit and spares.**—Sir F. Humphrys was informed that the expression 'parts of aircraft' did not include 'aviation spirit', on which it had not been found possible to put any restriction in normal times, although the Government of India were kept informed of the quantities exported.

The question of the control of aviation spirit is however not likely to be of much importance in the future, since supplies are now being made to the Afghan air force from Russia.

It is true that these were reported in January 1926 to be of inferior grade,<sup>5</sup> but in September 1926 Mr. Patwardhan, the Indian employed in the Afghan air force, stated that 'the spirit was now of good quality and gave no trouble'.<sup>6</sup>

As regards spares, Major Dodd noted in June 1926 :—

'No spare engines are in Kabul, and when required they will have to be brought from Termez, either by camel convoy or by flying a machine there for installation of a new

<sup>1</sup>Tel. 232 (6-2-1926), from G of I, to Min, Kabul (F 495-F. 17).

<sup>2</sup>Kabul tel. 37 (24-2-1926) (*ibid* 21).

<sup>3</sup>Kabul tel. 95 (21-7-1926) (*ibid* 22).

<sup>4</sup>Kabul tel. 122 (13-9-1926) (*ibid* 25).

The same principle is involved in the question of the export from India of acids to Afghanistan for use in the manufacture of powder. It was considered that these acids might be intended for the smokeless powder factory the construction of which the Russians were believed to be contemplating. When this was found not to be the case, and it was reported that the project of a powder factory under Russian control had been shelved, the idea of controlling such exports was dropped.

<sup>5</sup>Kabul tel. 7 (23-1-1926) (F-203, 29).

<sup>6</sup>Kabul despatch 92 (27-9-1926) (*ibid* 39).

engine. Aeroplane and engine spares, and petrol, and oil, are of course only obtainable from Russian or British sources. The Russian supply is strictly curtailed owing to the fact that the journey from the frontier to Kabul entails 12 days' travel, over a road traversing passes of the Hindu Kush, which are closed for several months of the year. The road is impassable for mechanical transport, and all material has to be carried on camels or ponies.<sup>1</sup>

**553. Training of Afghan air personnel.**—There are several indications that it has always been, as suggested in Kabul despatch 56 of December 4, 1923<sup>2</sup>, the Amir's intention to employ foreign personnel in his air force only 'until such time as Afghans are trained to replace them'. In August 1922 the Afghan Foreign Minister stated that a few Afghans were being trained in aviation in Italy,<sup>3</sup> and about the same time it was reported that the French authorities had declined a request to give training in aviation to three Afghan officers.<sup>4</sup>

The question arose again in conjunction with that of the supply of British machines during the Khost rebellion, when a definite request was made for assistance in the matter of training.<sup>5</sup>

The Government of India in their comments on this application mentioned the possibility of training being given to Afghans in Egypt or England.<sup>6</sup> Training in India it was remarked by the Air Ministry was not possible, and

'must be entirely regulated by the decision of the Indian Government with regard to the flying training of Indians, for which up to the present no facilities had been provided.'<sup>7</sup>

It was added that so far as the Air Council was concerned, there would be no great objection to receiving a small number of Afghans for flying and ground training in Egypt, although, apart from the expense, the difficulties of such a scheme would be considerable.<sup>8</sup>

The question was discussed by Wing Commander Johnston with S. Sher Ahmad Khan on August 17, and it was agreed that, as the matter was not urgent, enquiries should be made, and the Afghan Government informed of the result if possible within a month.<sup>9</sup>

In January 1925 Sir F. Humphrys reported the intention of the Amir to send Afghans for training in Tashkent<sup>10</sup>, and in April twenty youths were reported to have been actually sent.<sup>11</sup> This led His Majesty's Government to ask what had been done in the matter of the enquiries, which had been promised at the instance of the Afghan Government in August 1924, and it was remarked :—

'It appears very doubtful whether, if it were thought desirable to do so, we are in a position to offer alternative training ground.'<sup>12</sup>

The Government of India replied that further discussion had been left for resumption at Kabul by Sir F. Humphrys :—

'According to reliable information training is being offered by Russians at inclusive charge of 800 francs gold per man. In our nearest training ground (Egypt) cost of training is so much higher....that we can scarcely make counter offer, even supposing it were politic on general grounds to enter into auction with Russians.'<sup>13</sup>

(In September 1925 the Amir informed Sir F. Humphrys that the charges made by the Russians for tuition in aviation amounted to £12 a year for each student.<sup>14</sup>

The estimated cost of training Afghan pilots under British instructors in Egypt was £4 a day *plus* messing.)<sup>15</sup>

In August 1925 the Minister described a display given on the Khwaja Rawash aerodrome by the Afghan air force.

<sup>1</sup>Kabul despatch 46 (26-6-1926) (F. 203, 38).

<sup>2</sup>Para 6 (4) (A. S. XI, 40).

<sup>3</sup>Kabul tel. 70 (7-8-1922) (F. 265-F., 18).

<sup>4</sup>(F. 265-F., 19).

<sup>5</sup>Kabul tel. 112 & despatch 68 (23-5-1924) (A. S. XIV, 286 & 292).

<sup>6</sup>Tel. 1054 (17-6-1924), from Viceroy, to S. of S. (A. S. XV, 63).

<sup>7</sup>Letter 15686-S-6 (4-6-1924), from Air Ministry (F. 265-F., 44).

<sup>8</sup>Letter from Air Ministry 15686|S|6 (28-6-1924), (*ibid* 55).

<sup>9</sup>Kabul despatch 103 (29-8-1924) (A. S. XVI, 44).

<sup>10</sup>Kabul tel. 5 (9-1-1925) (A. S. XVIII, 92).

<sup>11</sup>Kabul tel. 50 (26-4-1925) (*ibid* 301).

<sup>12</sup>Tel. 175 (17-1-1925), from S. of S., to Viceroy (A. S. XVII, 115).

<sup>13</sup>Tel. 166 (9-2-1925), from Viceroy, to S. of S. (*ibid*, 145).

<sup>14</sup>Kabul despatch 75 (5-9-1925) (A. S. XIX, 22).

<sup>15</sup>Tel. 1768-A. (18-9-1924), from Air Ministry (F. 203-F., 1).

At that date there were three Afghans who had been nominally trained Muhammad Ihsan Khan, the Chief of the Air Force, a certified but totally incapable pilot, one mechanic, and one observer. All of these had received instruction in Italy.<sup>1</sup>

In connection with the policy to be adopted towards Russian penetration in Afghanistan the Secretary of State wrote :—

' The natural idea to inculcate in Afghans (and the one best suited to our purpose) would appear to be that they should man their own air-force. If in pursuance of this idea we could also show somewhat greater readiness than hitherto to assist in training Afghans to fly British machines, and to supply machines and spares, etc., for machines obtained from us, this might perhaps be best we could do at present..... Most obvious application at present of policy suggested above would be assistance in training Afghan aviators and mechanics..... Humphrys could probably lead Afghans to ask for such assistance, but question of expense would at once arise Air Ministry consider that Afghans might be trained in England, or possibly in Egypt, but cost would be approximately £4 each per diem for pilots. It was suggested that Afghans might be trained in India as mechanics for £180 a year each, Afghan Government finding the pay and cost of rations Period of training for either pilots or mechanics would be about one year. It would seem quite worth while to consider question of providing such training for a limited number of Afghans, if opportunity offers, as part of " subsidy in kind "<sup>2</sup>

Sir F. Humphrys after calling attention to the failure of the Italians to train Afghan pilots remarked :—

' It would be safe to predict that three years would be minimum course required in England for youths so profoundly deficient in education and capacity for hard work, and withal so vain and unpractical as the present day Afghan. On this showing, even if experiments were successful, it would cost £5,000, including messing expenses, to turn out an Afghan pilot. It seems doubtful whether it could be said that expenditure on such an object was in the interests of the British Empire.'<sup>3</sup>

And the Government of India agreed—

' with the Minister that we have more to lose than to gain by taking hand in the organisation of such a chimera as a native air force in Afghanistan, and see strong political objections to devoting Indian monies to the air training of India's hereditary foes, while no such training is given to Indians themselves.'<sup>4</sup>

Cairo despatch 6 of 1926 stated certain reasons against giving Afghans aviation training in Egypt.<sup>5</sup>

In March 1926 the Amir informed Sir F. Humphrys that he hoped the Afghan pupils whom he had sent abroad to study aviation would return soon. He proposed sending others to countries such as France and Italy to be trained.<sup>6</sup>

Mr. Patwardhan in September 1926 told Sir F. Humphrys that—

' he thought that it was the intention of the Afghan Government to dispense with the services of the Russian personnel, when the Afghan students returned from Moscow. This was expected some time next year. It was his conviction however that Afghans would never make first class aero-mechanics, and that, at any rate for many years to come, they would be compelled to retain the services of expert European personnel.....it was quite possible that the young Afghans who would shortly return from Russia would be able to do the actual flying, but no more.'<sup>7</sup>

In 1927 sixteen students were selected and sent to France for training in aviation, and it was reported that more was expected from these than from the Afghans who had been receiving instruction in Moscow. The latter, according to the Commander of the Afghan air force, had not been carefully picked originally and their training had not been very satisfactory.<sup>8</sup>

' Muhammad Hashim spoke bitterly of the mistake Kabul had committed in sending cadets to learn aviation in Russia. These cadets during the two years they have been there have, he says, learnt nothing. Two of them have contracted syphilis, and the others have become demoralised and unsettled.'<sup>9</sup>

<sup>1</sup>Kabul despatch 64 (5-8-1925) (F. 203-F, 14)

<sup>2</sup>Tel 3187 (2-12-1925), from S. of S., to Viceroy (*ibid* 21).

<sup>3</sup>Kabul tel 159 (9-12-1925) (*ibid* 23).

<sup>4</sup>Tel. 1708 (21-12-1925), from Viceroy, to S. of S. (*ibid* 24).

<sup>5</sup>(*ibid.* 30)

<sup>6</sup>Kabul tel. (5-3-1926) (*ibid* 32).

<sup>7</sup>Kabul despatch 82 (27-9-1926) (*ibid* 39).

<sup>8</sup>Diary M. A., Kabul (24-10-1927), (2).

<sup>9</sup>Moscow despatch 833 (17-11-1926) (A. S. XXI, 19).

554. **The present situation.**—The existing situation as regards the training of Afghan air personnel may be summarised as follows :—

- (1) Afghans have received training in Italy and Russia. Those trained in Italy have definitely proved failures, and not much is expected of those trained in Russia. Sixteen students have now been sent to France.
- (2) The question whether Afghans should be trained by British instructors has been carefully examined. Difficulties on the score of expense might be surmounted under the policy of the ' subsidy in kind ', but there are other grave objections to the idea, and the weight of opinion is against it.

555. **Civil Aviation.**—During the Kabul negotiations enquiries were made as to the possibility of a daily air post between Peshawar and Kabul.<sup>1</sup>

It was stated that the cost of this would be prohibitive.<sup>2</sup>

In 1922 Sir F. Humphrys stated that the Afghan Government could not afford civil aviation.<sup>3</sup>

In 1924 the German Chargé d'Affaires enquired as to the probable attitude of His Majesty's Government in regard to two alternative projects for the inauguration by the Junker Company of an air service between Kabul and Berlin (1) with, and (2) without, Russian participation.<sup>4</sup> The Government of India pointed out that the scheme if realised might have far reaching results, and expressed their desire that it should be abandoned :—

' We are however of opinion that question is one which should be left entirely for Afghan Government to decide, and that His Majesty's Government will be ill-advised to attempt to influence them in it '<sup>5</sup>

His Majesty's Government did not wish the subject to be pursued, although they would not oppose the project.<sup>6</sup>

In June 1924 it was reported that the Deutsch-Afghanische Company had been invited to supply aeroplanes for a commercial service between Kabul and Tashkend. The Afghan Government, it was said, might also wish to utilise the machines ' for police purposes for instance in Khost ', The possibility of an extension to Kabul was mentioned.<sup>7</sup>

The Government of India commented that :—

' The Germans might abandon scheme if we objected, but adverse consequences would ensue in our relations with Afghans, who would be certain to hear of our intervention.'<sup>8</sup>

His Majesty's Government authorised a reply to the German Chargé d'Affaires in the sense of their telegram of April 23<sup>9</sup>, but added that the Government of India would presumably wish to discourage definitely the idea of an extension to Peshawar.<sup>10</sup> The Government of India agreed.<sup>11</sup>

The scheme was discussed in Kabul despatch 145 of December 12, 1924,<sup>12</sup> but it does not appear that any definite step had been taken towards putting it into operation.

In June 1926 however Major Dodd reported :—

' The Junker Company from Persia are said to be trying to obtain a footing by tendering a contract for air mails.'<sup>13</sup>

And Mr. Patwardhan said :—

' The principal reason for the construction of a Herat aerodrome was to make it possible for the German Junker Company to send a machine from Tehran to Kabul, on a test flight. The Afghans hoped to be able to use this route later for a cheap and quick trip to Europe. The Russians were not pleased at this prospect, and were considering the possibility of an air service between Tashkent and Kabul.'<sup>14</sup>

<sup>1</sup>Memo 110 (3-5-1921), from Br. Rep., Kabul, to G. of I. (A. S. V, 211).

<sup>2</sup>Tel 641 (5-5-1921), from G. of I., to Br Rep., Kabul (*ibid* 215).

<sup>3</sup>Para 543.

<sup>4</sup>Kabul tel. 69 (13-3-1924) (F. 265-F., 30).

<sup>5</sup>Tel. 732 (10-4-1924), from Viceroy, to S. of S. (*ibid* 31).

<sup>6</sup>Tel. 14 (23-4-1924), from S. S., F. A., to Min., Kabul (A. S. XIV, 108).

<sup>7</sup>Kabul tel 118 (12-6-1924) (A. S. XV, 48).

<sup>8</sup>Tel. 1053 (17-6-1924), from Viceroy, to S. of S. (*ibid*, 62).

<sup>9</sup>(Above).

<sup>10</sup>Tel. 28, from S. S., F. A., to C. d'A., Kabul (A. S. XV, 88).

<sup>11</sup>Tel. 1091 (26-6-1924), from G. of I., to C. d'A., Kabul (*ibid*. 93).

<sup>12</sup>(A. S. XVII, 82).

<sup>13</sup>Kabul despatch 46 (26-6-1926) (F. 203-F., 38).

<sup>14</sup>Kabul despatch 92 (27-9-1926) (*ibid* 39).

In October 1925 the Government of India, in accepting the principle of a 'subsidy in kind' mentioned that one of the forms which such a subsidy might suitably take would be 'at a later stage assistance over civil aviation on an air route between India and Afghanistan', and Sir F. Humphrys made the same suggestion in December 1925.<sup>2</sup>

**556. Conclusions.**—There seems reason to believe that the Junker Company are seriously considering an extension of their Persian air service to Kabul, and if the idea develops, the Russians are likely to compete with a service from Tashkent. The Government of India have, in principle, approved the grant of assistance in civil aviation between India and Afghanistan at a later stage; but it seems possible that the Amir, as a result of his European tour, might take up the question immediately on his return.

**557. Afghan negotiations with private firms, and engagement of British air personnel.**—The enquiry made from Rolls Royce by an Afghan Consul in 1922 has already been mentioned.<sup>3</sup>

In March 1924 the Government of India were approached by the M. C. Aviation Syndicate of Karachi, who asked whether there would be any objection to their entering into negotiations with the Afghan Government for the sale of some Government material which had been presented to the firm in 1920.<sup>4</sup> The Chargé d'Affaires at Kabul was asked to explain to the Afghan Government that the Government of India knew nothing of the present condition of this material, and could take no responsibility for it.<sup>5</sup>

Inspite of two warnings given to them on the subject the Afghan Government sanctioned the purchase of four of these machines from Capt. Murphy of the M. C. Aviation Syndicate. They were then urged to take expert advice in India before concluding the transaction.<sup>6</sup>

The Afghan Foreign Minister stated that he had issued instructions accordingly.<sup>7</sup>

The purchase was however completed, and certain facilities were given by the Royal Air Force for the housing of the machines at Peshawar.<sup>8</sup>

The Afghan Government were informed accordingly, and again warned of the probable unsuitability of the machines.<sup>9</sup>

It was proposed in December 1924 to fly these machines to Kabul, and the serious objections to the scheme were discussed at length by the Minister in letter 10 of December 31, 1925.<sup>10</sup> It was considered by His Majesty's Government that :—

'Now that the transaction has progressed so far, any attempt at intervention on the part of British authorities would be inadvisable, unless directly sought by either of the parties to the transaction and should be avoided.'<sup>11</sup>

On May 31 one of the machines was completely wrecked, and two were badly damaged by a storm.<sup>12</sup>

Capt. Murphy then asked for permission to fly an Avro to Kabul, but this was refused, as it was not considered that this machine could do the journey.<sup>13</sup> The possibility of Capt. Murphy being detained by the Afghan authorities 'for alleged default over previous transaction' also weighed with the Government of India.<sup>14</sup>

Eventually the machines were sent to Kabul by road<sup>15</sup>, and in September 1926 were reported to be 'quite useless'.<sup>16</sup>

**558. Employment of British Civilians in the Afghan Air Force.**—In connection with the negotiations between the Afghan Government and Capt. Murphy, the

<sup>1</sup>Tel 1323 (22-10-1925), from G. of I., to S. of S. (A. S. XIX, 67).

<sup>2</sup>Kabul tel. 159 (9-12-1925) (F. 203-F, 23).

<sup>3</sup>Para 543.

<sup>4</sup>F. 170-F. (1).

<sup>5</sup>Memo 265 (10-6-1924), from G. of I., to C. d'A., Kabul (*ibid* 1).

<sup>6</sup>Kabul tel 174 (8-9-1924) (A. S. XVI, 58).

<sup>7</sup>Kabul despatch 112 (16-9-1924) [F. 265 (1) 1].

<sup>8</sup>Tel. 1506 (29-9-1924), from G. of I., to C. d'A., Kabul (*ibid* 4).

<sup>9</sup>Kabul despatch 129 (11-10-1924) (*ibid* 8).

<sup>10</sup>(*Ibid*).

<sup>11</sup>India Office letter 441 (24-2-1925) (*ibid* 41).

<sup>12</sup>Tel 642 (1-6-1925), from Viceroy, to S. of S. (*ibid* 51).

<sup>13</sup>Tel 1059 (29-8-1925), from G. of I., to N.-W. F. (*ibid*, 56).

<sup>14</sup>Tel. 1072 (1-9-1925), from G. of I., to Min., Kabul (*ibid* 58).

<sup>15</sup>Tel 234 (24-7-1926) and 276 (5-8-1926), from N.-W. F., to G. of I., (*ibid* 96 and 98).

<sup>16</sup>Kabul despatch 92 (27-9-1926) (F. 203-F, 39).

question arose as to the attitude to be adopted towards the employment of British civilian pilots by the Afghan Government. The Government of India remarked that :—

' Should Britshers offer themselves it hardly seems feasible to do more than emphasise peculiar risks they incur, warn them that undertaking employment under Afghan Government must be on their own responsibility, and that, should they for instance fall into hands of Afghan tribesmen if engaged in operations against them, British Government would be unable to intervene on their behalf. To refuse them permission to proceed across Frontier would surely constitute interference with British trade, placing it at great disadvantage in comparison with trade of other European countries. In the eyes of Afghan Government also such action would appear unfriendly '<sup>1</sup>

His Majesty's Government replied :—

' There seems to be no objection to British civilian pilots delivering privately purchased aeroplanes by air at Kabul, nor was it intended that any attempt to prevent this should be made. The disadvantages which the engagement of British subjects for service in Afghan air force are likely to entail are however so considerable—*vide* Kabul memo. 693 of August 30<sup>2</sup>—that at present, at any rate, it would be preferable that British subjects should not accept such engagement. His Majesty's Government therefore consider that any British pilots who may offer themselves for such service should be clearly warned of the difficulties and dangers to be faced ; they agree however that this is utmost that could be done with propriety to prevent their engagement '<sup>3</sup>

Two British Indians were actually engaged. One of these Abdul Qudus proved an efficient pilot, while the other Patwardhan was mainly employed on the construction of aerodromes.<sup>4</sup>

**559. Violation of the Afghan frontier by British aeroplanes.**—Frequent complaints on this subject have been received from the Afghan Government, and some actual violations have occurred. The most conspicuous of these were the landing of a British aeroplane in Katawaz in 1921<sup>5</sup>, the bombing of the Tazi Khel in 1923<sup>6</sup>, and of Mangals in Afghan territory from Nushki.<sup>7</sup>

Other instances of less importance were violations at Torkham on February 12, 1925 and from Chaman on February 28, 1925. In the latter class of cases apologies are offered, with an assurance that instructions have been issued to prevent the recurrence of such incidents.<sup>8</sup>

In other cases the complaints were found on enquiry to be baseless, e.g., in January 1924 (Tani country<sup>9</sup> and Jaji country<sup>10</sup>), in March 1924 (from Wana<sup>11</sup> and Chaman<sup>12</sup>), and in April 1924 (Chitral<sup>13</sup>).

In May 1926 S. Mahmud Tarzi 'expressed concern at what he termed persistent violation of Afghan territory by British aeroplanes'.<sup>14</sup>

**560. Rules for air operations on the Frontier.**—British air operations on the Frontier affect Anglo-Afghan relations when they involve :—

#### (1) Possible violations of Afghan territory.

In order to prevent such mistakes a rule had been in force previously to August 1923, prescribing a ten mile prohibited zone along the Durand Line.

At a conference held at Simla in that month :—

' It was considered necessary on political grounds to retain a prohibited zone, but a ten mile zone was thought excessive, and a contraction to a six mile zone was advocated. Even within this zone reconnaissance flights be made on special occasions when local

<sup>1</sup>Tel. 1585 (11-10-1924), from Viceroy, to S of S [F. 265 (1) 6].

<sup>2</sup>(A. S. XVI, 48).

<sup>3</sup>Tel. 2952 (21-10-1924), from S. of S., to Viceroy [F. 265 (1) 9].

<sup>4</sup>Kabul despatch 46 (26-6-1926) (F 203-F., 38),

<sup>5</sup>Para. 543.

<sup>6</sup>Para. 237.

<sup>7</sup>Memo. 2494 (7-7-1923), from Baln., to G. of I. (F. 328-F., 20)

<sup>8</sup>Tel. 441 (29-4-1925), from G. of I., to Min., Kabul (A. S. XVII, 304).

<sup>9</sup>Tel. 19 (14-1-1924), from Waz., to N.-W. F. (A. S XII, 101 & XIII, 7).

<sup>10</sup>Tel. 59 (31-1-1924), from N.-W. F., to G. of I. (A. S. XII, 253).

<sup>11</sup>Tel. 50 (20-5-1924), from Waz., to G. of I. (A. S. XIV, 258).

<sup>12</sup>Tel. 1001 (22-4-1924), from Baln., to Min., Kabul (*ibid*, 98).

<sup>13</sup>Ex. letter 1284 (14-5-1924), from N.-W. F., to G. of I. (*ibid*, 239).

<sup>14</sup>Kabul tel. 332 (27-5-1926) (A. S. XX, 49).

conditions were favourable, with the special permission of the Government of India. Special precautions would of course have to be observed where the Durand Line is actually undemarcated, i.e., northwards from the Kabul River to the Nawa Pass.<sup>1</sup>

In February 1925 further rules were issued by the Government of India in the Army Department dealing with the 'prohibited zone'.

'4. Zone limits will be as follows.—

- (a) North-West Frontier Province. Prohibited zone. A six mile limit east of and parallel to the Durand Line except in the Kurram where the limit is a three mile one . . . . .
- (b) Baluchistan Prohibited zone. A six mile limit east, or south of, and parallel to the Durand Line and the Perso-Baluchistan border, with the exception of a corridor to the frontier between Chaman and Bagra. This corridor and the part of the route to Chaman lying within the six mile limit will always be maintained as a free zone.<sup>2</sup>

(2) Intensive bombing from the air in tribal territory.

This was stated by Sir F. Humphrys 'to react indirectly on our relations with Afghanistan',<sup>3</sup> and, as has been noticed, played an important part in the deterioration of Anglo-Afghan relations in the early months of 1923.<sup>4</sup>

At the conference mentioned above, the Commander-in-Chief's view that bombing was in no case to be undertaken without the Government of India's sanction was accepted. Rules were also made regarding the issue of warnings before air operations were undertaken against a village from which a hostile lashkar was known to have started, or against tribes whose relations with Government had not become definitely hostile.<sup>5</sup> In despatch 3 of August 9, 1923 the Secretary of State raised the question of the use of aeroplanes 'for quasi-administrative purposes' in three aspects—

- (a) the effect on the mentality of the tribes,
- (b) the possible effect on the Political Officer,
- (c) the possible acquisition by the Frontier Administration of a general reputation for the employment of 'methods of barbarism',

while the liability of air control of the frontier 'to produce international issues' was suggested.<sup>6</sup>

Air control in aspects (a) and (c) of those mentioned by the Secretary of State is clearly capable of reacting on Anglo-Afghan relations and the reply of the Government of India, which amounted to a defence of their air policy in all its aspects, concluded with a reference to the attitude of the Afghan Government :—

'The Government of Afghanistan no doubt will always be ready to pose as the champion of the tribes against a ruthless oppressor. But apart altogether from the harshness which they themselves exercise in suppressing their recalcitrant tribesmen, their power to exploit our use of aircraft must lose its force, now that they have acquired an air force of their own, and have even—however ineffectively—used it against their own rebellious subjects.'<sup>7</sup>

**561. Control of unofficial flying on the Frontier.**—Unofficial flying on the Frontier is regulated by the following notification :—

#### NOTIFICATION.

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PUBLIC WORKS BRANCH.

Civil Aviation.

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*Simla, the 1st October, 1926.*

**No Av.-17**—In exercise of the powers conferred by sub-section (1) of section 7 of the Indian Aircraft Act, 1911 (XVII of 1911), as in force in British India and as locally applied, the Governor-General in Council is pleased to prohibit the navigation of aircraft, except by reason of stress of weather or other unavoidable cause, over any of the areas

<sup>1</sup>Memo. 328 (20-8-1923), from G. of I., to N.W. F. (F. 328, 30).

<sup>2</sup>F. 328 (1)-F, 6.

<sup>3</sup>Letter 190 (2-6-1923), from Min., Kabul, to G. of I. (F. 328, 15).

<sup>4</sup>Para. 231.

<sup>5</sup>Memo. 328-F. (20-8-1923), from G. of I., to N.W. F. (F. 328, 30).

<sup>6</sup>Ibid. 34.

<sup>7</sup>G. of I. despatch 11 (15-10-1925) (*ibid*, 92).

specified in the first column of the annexed Schedule, save under a license granted by the authority specified in the corresponding entry in the second column thereof :—

SCHEDULE.

<i>Area.</i>	<i>Authority.</i>
(1) The Administered Districts and Political Agencies of the North-West Frontier Province.	The Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.
(2) The areas in British Baluchistan and the Baluchistan Agency Territories lying to the north of line 26° 20' north latitude.	The Chief Commissioner, British Baluchistan and Agent to the Governor-General, Baluchistan.

562. **Proposed co-operation with Afghan forces by British aeroplanes.**—In the discussion of measures to be taken for the disposal of the Kohat gang it was suggested that British aeroplanes might co-operate with the Afghan troops in Sangu Khel country.

The Minister considered that 'Afghans might accept such assistance, provided that point at which troops and aeroplanes crossed the frontier was nearest point to scene of operations.'<sup>1</sup> This proposal was not however pursued.

563. **Assent of Afghan Government asked to reconnaissance by British aeroplanes.**—'Purely as a measure of co-operation in disposal of Finnis case' the assent of the Afghan Government was sought to a reconnaissance by British aeroplanes of Chinai, which was exactly on the Durand Line.<sup>2</sup> This was given.<sup>3</sup>

<sup>1</sup>Kabul tel. 336 (19-12-1923) (A. S XI, 95).

<sup>2</sup>Tel. 480 (3-3-1924), from G. of I., to Min., Kabul (A. S. XIII, 156).

<sup>3</sup>Kabul tel. 65 (4-3-1924) (*ibid* 165).

## CHAPTER XXX.

### SUBSIDIES AND MATERIAL ASSISTANCE TO AFGHANISTAN.

564. **The cash subsidies.**<sup>1</sup>—The earliest subsidy granted to an Amir of Afghanistan was that of one lakh per mensem given by the East India Company, in 1857, to the Amir Dost Muhammad Khan during the continuance of the war with Persia. Under the terms of the Treaty of Gandamak (1879) an annual subsidy of six lakhs was granted to Muhammad Yakub Khan in return for British control of foreign relations, the reception of a British representative in Kabul, and freedom of trade and communications between India and Afghanistan.

The annual subsidy payable to Amir Habibullah Khan at the time of his death amounted to 20½ lakhs of rupees, made up as follows :—

(a) 12 lakhs granted in 1883 to Amir Abdul Rahman, ‘ personally as an aid towards meeting the present difficulties in the management of his State ’.<sup>2</sup>

(b) 6 lakhs granted in 1893. ‘ In order to mark their sense of the friendly spirit in which the H. H. the Amir has entered into these negotiations, the Government of India undertake to increase, by the sum of six lakhs of rupees a year, the subsidy of twelve lakhs now granted to His Highness ’.<sup>3</sup>

This addition was intended to be personal, and Mr. Clarke said that Sir Mortimer Durand was careful to make this clear.<sup>4</sup> In 1903 however the Secretary of State took the view that ‘ that part of the subsidy which was given under the Durand Agreement was in consideration for value received, territorial and other. In equity the period for which it is due does not seem limited to the life of its first recipient, and so long as his successor maintains the arrangement for which this subsidy was originally granted, it seems clear that its payment should be continued ’.<sup>5</sup>

This view was however controverted in the *aide memoire* accompanying Mr. Brodrick’s Despatch of October 21, 1904.<sup>6</sup>

(c) ½ lakhs granted in 1897, and regarded by the Amir as intended to cover the expense of the Eastern Wakhan Guards, and therefore as separate from the main subsidy.<sup>7</sup>

Amir Abdur Rahman’s subsidy thus amounted to 18½ lakhs. This subsidy was continued to Amir Habibullah Khan, and

(d) a further sum of 2 lakhs was granted to him in 1916 ‘ as a token of appreciation of his attitude ’. On the Amir objecting to its inadequacy, it was explained that it was simply of ‘ the nature of a complimentary present, such as might suitably accompany the letter of one sovereign expressing his obligations and good-will to another sovereign ’.<sup>8</sup>

565. **Amir Amanullah’s claim to a subsidy.**—The Foreign Secretary (Mr. Denys Bray) noted before the outbreak of war in 1919 ‘ my conclusions then are that (a) and (d) were personal, (b) very doubtfully personal, and (c) permanent ’.<sup>9</sup>

At the death of Amir Habibullah the arrears of the subsidy, which remained undrawn, amounted approximately to Rs. 44,40,000, apart from a special non-recurring payment of one crore offered him in 1918. In regard to any possible claim to a cash subsidy by Amir Amanullah Khan it may be noted that the Government of India have consistently maintained that the whole of the subsidy granted to Habibullah (20½ lakhs) was personal, and not dynastic. There is also

<sup>1</sup> *Vide* Windham’s Precis, p. 259 (fnote).

<sup>2</sup> Progs. Sec. F July, 1883, No. 78.

<sup>3</sup> Progs. Sec. F. Dec. 1893, No. 171.

<sup>4</sup> Progs. Sec. F April 1897, n. p. 7.

<sup>5</sup> Progs. Sec. F. 1904. Des. 41 (Sec.).

<sup>6</sup> Progs. Sec. F. Jany. 1905.

<sup>7</sup> Progs. Sec. F. April 1897, Nos. 366-74.

<sup>8</sup> Progs. Conf. A. 1917, No. 21.

<sup>9</sup> Progs. Oct. 1920, n. p. 12.

the argument indicated in the last sentence of Sir H. Grant's letter 7-P.O., dated August 8, 1919:—

' Moreover this war has cancelled all previous Treaties ',

and the fact that, with the accession of Amanullah Khan, British control of Afghan foreign relations, which had previously been the main consideration for the grant of a subsidy, had ceased to exist.

' When this country could not be conquered, the rulers of Kabul were given an allowance to ensure the required objects. As a consequence Afghan foreign policy fell into the hands of the British.'<sup>1</sup>

**566. The Mussoorie discussions.**—During the Mussoorie negotiations, the claim to a cash subsidy was put forward by the Afghan delegates who asked for ' pecuniary help which should do no harm to our internal or external independence ',<sup>2</sup> and in reply Mr. Dobbs assured them ' that my Government would be prepared definitely to offer to Afghanistan, in the event of a Treaty of friendship being concluded, and for so long as the provisions of that treaty were observed, help to the extent of 18 lakhs of rupees a year '.<sup>3</sup> The grant of a subsidy, together with certain forms of material assistance, was stated in the Mussoorie *aide memoire* to be open to consideration, in the event of a Treaty of Friendship being concluded.<sup>4</sup>

The situation was materially altered by the signature on February 28, 1921 of the Russo-Afghan Treaty, under which Afghanistan obtained a cash subsidy and material assistance from Russia.

**567. The Kabul negotiations.**—The attitude of the Government of India and His Majesty's Government during the Kabul negotiations regarding the grant of a British subsidy, while the Amir was enjoying a subsidy from Russia, has been already noticed,<sup>5</sup> and the draft Treaty, embodying the ' pisaller ' policy advocated by the Government of India, provided for the payment of a British subsidy of 25 lakhs in cash simultaneously with the Russian subsidy.<sup>6</sup>

The ' gentlemanly ' Treaty eventually signed, however, was not one of ' friendship ', and accordingly a subsidy found no place in it. It will be seen below that the loss of the subsidy continued to rankle with ' all classes of Afghans ' ; and that, when British assistance in the realignment of the Kabul Khyber road was discussed with the Amir in 1925, he at once took the opportunity of reverting to a demand for assistance in cash, in other words, for a subsidy.<sup>7</sup>

**568. The subsidy and ' independence '.**—In 1921 the Secretary of State remarked ' The Afghans . . . . . might be asked how they reconcile independence with the receipt of a subsidy '.<sup>8</sup> The Afghan would probably find no difficulty in answering this question. To his mind it is not the receipt of a subsidy in itself which affects his independence, but the consideration for which the subsidy is given which may do so. If, like the old British subsidy, it forms the consideration for control of his foreign relations, or even if it is earmarked for expenditure on a definite object, as for instance on the construction of the Kabul Khyber road,<sup>9</sup> then in the Amir's eyes, by restricting his freedom of action, a subsidy would involve a diminution, in the first case, of his external, and in the second, of his internal, independence. This was clearly the meaning of the proviso specified by the Afghan delegates at Mussoorie.<sup>10</sup> The Afghan attitude on the point, however unreasonable it may appear, has always to be borne in mind in any consideration of the question.

**569. Mussoorie proposals for material assistance.**—The first definite proposal that material assistance should be given by the Government of India to

<sup>1</sup>Ittihad-i-Mashriqi, December 9, 1925.

<sup>2</sup>Progs. of the 11th meeting.

<sup>3</sup>Progs. of the 13th meeting.

<sup>4</sup>Paras. 96—99.

<sup>5</sup>Para. 163.

<sup>6</sup>Para. 142.

<sup>7</sup>Paras. 577—578.

<sup>8</sup>Tel. 4177 (16-8-1921) from S. of S. to Viceroy (A. S. VI 164).

<sup>9</sup>Para. 575.

<sup>10</sup>Para. 566.

Afghanistan appears to have come from the Afghan delegates to the Mussoorie Conference, who indicated their requirements in this direction as follows :—

'The education of a reasonable number of our youths in Europe, America and elsewhere; the building of railways, telephones, telegraphs and factories, the exploitation of our mines, and facilities in trade concessions and so on'.<sup>1</sup>

Other forms of 'material assistance' were mentioned in the Mussoorie *aide memoire*. These were :—

Technical advice regarding irrigation; the manufacture and supply of paper for the printing of currency notes, and provision of special machines for note printing; and technical advice regarding the establishment of an Afghan Bank, and regarding possibilities of improving the system of commercial credit in Afghanistan.<sup>2</sup>

The Kabul Treaty of November 1921 did not promise any material assistance beyond that specified in Articles VI-IX, but Sir H. Dobbs had contemplated the grant of such assistance 'outside the Treaty', and the Government of India had concurred in this view, which was approved by His Majesty's Government.<sup>3</sup>

570. The 'subsidy in kind'.—By the close of 1923 the position was that some tangible contribution had been made to the Afghan telegraph system by the presentation of the British wireless set, and 460 miles of telegraph material made by Sir Henry Dobbs at the conclusion of his mission in December 1921, while six Afghan students had been trained in wireless telegraphy at Karachi. Between that date and December 1923 the 'two years concession' in regard to Afghan State goods, had been granted, but this, although on paper the most valuable of all, could hardly be called striking to the imagination, since to the Afghans it appeared merely a decent refusal on the part of His Majesty's Government to profit by the delay in negotiating the Trade Convention. Another batch of Afghan students had also been trained in telegraphy at Karachi.

The Anglo-Afghan crisis of 1923 obviously offered no suitable occasion for a tangible expression of British goodwill towards Afghanistan, but, with the gradual clearing of the political atmosphere, it was felt that such an occasion might occur before long. It was anticipated at that time, as it has been at intervals ever since, that the Anglo-Afghan Treaty would shortly be denounced by the Amir; and the Minister's views as to the requirements of His Majesty's Government, which it might be desirable to secure in a new Treaty, were stated in a despatch of December 1923. This despatch, after discussing the objects for which a cash subsidy might be given, and the value of 'the hold afforded by a subsidy' argued that :—

'any donation in cash leaves the Amir at liberty to devote it to the furtherance of anti-British intrigues. No conditions restricting the purposes for which it might be expended could in practice be enforced. To gifts in kind this objection would not apply. The declared objects of such gifts might be the security and peaceful progress of Afghanistan, and maintenance of a friendly attitude by the Afghan Government, without any particular action being prescribed'.

'The undertakings which might conceivably be required of the Afghan Government in return for a subsidy'

were considered under four heads :—

'A. Those that the Amir would regard as infringing his independence, or even committing him to political suicide ..... Under this head may be classed the control of Afghan foreign relations; a definite and permanent rupture with Russia; and active co-operation with the Government of India in their frontier policy, so long as that policy is directed to the destruction of his own influence among the tribes on the British side of the Durand Line.'

B. Undertaking for action which he would in any case take in his own interests.

In this category may be placed the sterilisation of foreign intrigues in Afghanistan, so far as these are not only directed against India but also threaten the stability of the Afghan Government; and, to a similar extent, the 'non-encouragement of Indian agitators' in Kabul.

C. Undertakings for the discontinuance of actions which are clearly contrary to any interpretation of 'neighbourly relations', and therefore constitute a breach, in the spirit, of any possible Treaty.

<sup>1</sup>Piogs of the 11th meeting.

<sup>2</sup>Para. 99.

<sup>3</sup>Vide Kabul tel. 59 (11-5-1925).

Many of the requirements specified in the third paragraph of the Mussoorie *aide-mémoire* appear to me to come under this head.<sup>1</sup> A subsidy granted for such considerations must approximate very closely to blackmail, the payment of which, though perhaps justifiable as a temporary expedient in times of extreme necessity, cannot suitably form a permanent basis of policy. ....

D. For action which it is to the interests of His Majesty's Government that the Amir should take, which is not otherwise binding upon him, and which is not detrimental to his real interests.

It is obvious that the grant of a subsidy in return for undertakings in categories (A) and (B) is equally, although for different reasons, a waste of money. In the case of category (C), a subsidy is likely to be largely ineffective, and would officially advertise the power of the Amir to disturb the Indian frontier.

It seems, therefore, that the only category of undertakings, for which a subsidy should properly be paid, is the last. ....

So, as an expression of good will and as a form of assistance in the peaceful progress of the country, the system of gifts advocated by Sir Henry Dobbs, to be made at irregular intervals and unfixed in amount, might serve the interests of both countries better than any other. The objection to gifts of money is that its expenditure cannot be controlled; the gifts should therefore be in kind, not guaranteed in the Treaty itself, nor of a specified amount, but presented as rewards only when these have been earned by correct behaviour. Such a 'subsidy in kind' might be of a maximum annual value to be fixed by His Majesty's Government but not communicated to the Amir. It should not, in my opinion, be of such an amount as to suggest any intention of competing with the Russian subsidy, nor so small as to be entirely negligible by the Afghan Government. A figure of seven lakhs of rupees would seem to fulfil these requirements. The form in which such a subsidy should be given would be suggested by the Amir but decided by His Majesty's Government and might suitably comprise the loan of British technical experts, the supply of British machinery and plant, the grant (if considered desirable) of scholarships tenable in British schools by Afghan boys, and the payment of allowances, with such modifications as may be found necessary, previously drawn from the Afghan Government by tribesmen within the British frontier.'

It appears from the subsequent discussions of this proposal that its exact nature was not made sufficiently clear in this despatch, and that the nomenclature 'subsidy in kind' was misleading in its implications. The old subsidy had been paid annually in return, mainly, for the surrender by the Amir of the control of his foreign relations. Payment had never been suspended, even when the Amir turned a deaf ear to British requests for co-operation in maintaining the peace of the common frontier, or negotiated a Treaty, as he did in 1916, with a Power actually at war with the British Empire. Consequently the word 'subsidy' in spite of the explanations given to the contrary seems to have suggested a regular payment, which would never be discontinued, devised to secure directly some major aim of policy just as the old cash subsidy had been. The 'subsidy in kind' however was not intended to be anything of the sort. It was not a fixed sum to be given annually, and unconditionally. The word 'subsidy' was used in order to forestall the possible criticism that such assistance might in fact form as much of a financial commitment as a regular payment, and a maximum figure was suggested in order to indicate, for purposes of finance, the maximum liability which might be entailed in any one year. The 'subsidy in kind' was meant merely to 'oil the wheels', to strengthen the connection between the two countries, to assure the Amir and the Afghan people of British goodwill in the peaceful development of his country, and thus to give the Amir the prestige arising from a public advertisement of British support.

It was not intended as a direct make-weight to Bolshevik intrigue nor as a counterbid to the Russian subsidy:—

'In so far as the dangers from Bolshevik intrigue threaten both Afghanistan and India, the Amir can be relied upon in his own interest to provide against them.'

'The political predominance of any Power in Kabul depends not so much on the payment of a subsidy, as on the degree to which its co-operation is necessary for the progress of Afghanistan, on the extent to which Afghan interests and its own are identical, and on its ability to convince the Amir of its good faith and firmness of purpose'

In forwarding this despatch for the opinion of certain officers, the Government of India remarked:—

"The Government of India are not yet convinced that for a recurring cash subsidy should be substituted a policy of 'subsidy in kind', i.e., occasional gifts of material and

<sup>1</sup>Para. 99.

services advantageous to Afghanistan, and as little detrimental to British own interests as possible. Any such policy is open to the objection that, in effect, it would operate to start that auction for Afghan favour the objections against which are pointed out in the despatch. But whether in existing circumstances it is possible altogether to keep clear from this objectionable form of competition is a point on which opinions may well be divided.”<sup>1</sup>

Mr. Johnston<sup>2</sup> wrote in reply :—

‘ I am in entire agreement with the views of Colonel Humphrys as to the inadvisability of the granting of any subsidy for action under heads (A), (B) and (C). If these are not secured by Treaty, and by Afghan good faith and political sagacity, there is little use in a treaty, still less in a subsidy . . . .

It only remains to be considered whether any real return will be obtained from the payment of this subsidy in kind. In all dealings with frontier tribes the principle has been admitted that the wheels of the machinery must be kept oiled, and there would appear to be no objection to the application of this principle to Afghanistan, so long as it is clearly understood that the condition in (v) at the end of the sub-paragraph on page 8 of Colonel Humphrys’ despatch,<sup>3</sup> will be vigorously enforced. The cost is small comparatively, and there would be no harm in trying the experiment ’<sup>4</sup>

Mr. Bolton<sup>5</sup> wrote :—

‘ My next point is that without a subsidy the Afghan Government will not be able to keep up its present rate of expenditure . . . . The present policy will therefore probably land the country in bankruptcy, and will certainly leave nothing for the development of communications and other improvements, which are vital to its gradual civilisation. And it is very much to India’s interest that the country should become civilised and developed commercially. . . . .

I recognise the force of Colonel Humphrys’ arguments against the payment of a fixed annual subsidy in cash. I should also deprecate the grant of it in the form of munitions of war. . . . . The subsidy might well be given in the shape of expert assistance and materials for the developments of roads, railways, irrigation, forests, and sheep farming ’<sup>6</sup>

It will be noticed that Mr. Bolton regarded the ‘ subsidy in kind ’ as in some way a cure for bankruptcy. This was not one of the objects which it was intended to secure, and its limitation to seven lakhs a year would seem to render it inadequate for this purpose. This was indeed one of the grounds on which the Minister’s arguments in its favour were attacked by the Government of India.<sup>7</sup>

**571. The proposal for a subsidy in kind revived.**—In April 1925 the Minister again raised the question of the ‘ subsidy in kind ’. In the course of an audience the Amir had—

“ quoted first sentence of Article VI of the Treaty and made the complaint that, instead of assisting Afghanistan to be ‘ strong and prosperous ’, attitude of British Government towards him in his time of need had been severe and rigid. Last August he had particularly asked for loan of British pilots and mechanics. As this request had been refused, he had been forced, much against his will, to place his Air Force in the hands of Russians. British Government had not met his request for a party from India to lay telegraph line to Kandahar-Herat from Kabul, and he had been forced to fall back on Russian assistance . . . . While admitting that Government of India’s attitude had throughout been correct, he thought that, even in their own interests, something more than correctness should be shown to friendly neighbour in danger of dismemberment ”. . . . .

The Minister concluded :—

“ Attitude of Amir, who spoke earnestly and completely without reserve, was gloomy. I think it is clear that he is in serious financial difficulties, and would prefer to lean towards India rather than Russia, for following two reasons—

- (a) he has no faith in promises of Russia, and considers that Soviet Government is heading towards bankruptcy;
- (b) he is apprehensive regarding effects of Bolshevik propaganda, and, on this account, unwilling to increase the number of Russians in his country.

<sup>1</sup> Letter 627 (1-1-1924), from G. of I. to N. W. F. (A. S. XI 240)

<sup>2</sup> Agent to the Governor-General Baluchistan

<sup>3</sup> Viz., Gifts in kind, made at irregular intervals of value not fixed, but dependent on the maintenance of a generally friendly attitude by the Amir

<sup>4</sup> Letter 17 (16-1-1924), from Baln. to G. of I. (A. S. XII, 152).

<sup>5</sup> Chief Commissioner, N. W. F. P

<sup>6</sup> Letter 402-220 (1-2-1924), from N. W. F. to G. of I. (A. S. XIII 13).

<sup>7</sup> Para. 573.

He hopes at the same time, by admitting wider Russian co-operation to arouse British Government's active interest in material progress of Afghanistan. The danger is that pride may lead him too far in this direction. .... I feel opportunity for grant of material assistance, which will be of advantage to both countries, is likely to occur this summer. The moral value to the Amir of such assistance would be out of all proportion to the actual financial relief afforded. I recommend therefore that, before Amir's attitude on North-West Frontier of India has ceased to be correct, and before he loses heart and commits himself too far in response to advances which Soviet is making to him, principle of 'subsidy in kind' be approved by His Majesty's Government."<sup>1</sup>

**572. The Government of India favour a single gift.**—The Government of India commented on this proposal as follows :—

'Acceptance of the principle of a subsidy in kind is urged by Minister on two main grounds First as a relief to Amir's financial stringency, second as a means of diverting him from dangerous *rapprochement* with Russia. No doubt latter consideration is serious one for ourselves, but it is apparently confusing the issue to consider it in direct connection with existing crisis Much though we may dislike signs of Russian penetration, we see no evidence that these are connected with Amir's present instability. If every Russian were swept out of the country to-day, this would not, as far as we can see, affect the essential issue now before us .... Amir said, in effect, at the interview that, unless we bought the Russians out, he would have to rely more and more on Russia's material assistance. Viewed in this light, subsidy in kind would be hard to interpret as other than blackmail, to be applied first on one side, then on the other, indefinitely. It would carry with it all the old objections to the grant of a subsidy during the existence of a Russian subsidy, and indeed in an acuter form. For whereas under a cash subsidy limit of help would be definitely fixed during the currency of a Treaty, under an indefinite subsidy in kind auction would never be over. If therefore we had to come to a final decision now on the principle of a subsidy in kind, we should require, in order to justify decision in its favour, stronger arguments than we can at present see There fortunately seems no particular advantage in considering the principle itself any further at this stage We are confronted with a definite crisis in Afghan affairs, and if crisis is as grave as Minister considers it to be we should be justified in resorting to altogether exceptional measures to cope with it, wholly without prejudice to the principles which should govern our permanent Afghan policy Great importance which Minister attaches to an early gift in kind to the Amir impresses us.... Value of gift should not exceed materially Rs. 5 lakhs Provided His Majesty's Government agree, we are accordingly ready to consider at once with Minister immediate presentation of one single gift to the Amir to steady the situation.'<sup>2</sup>

The Minister replied to these criticisms as follows :—

'I see permanent menace to the interests of His Majesty's Government in insidious Russian penetration of Afghanistan, and my recommendation of early acceptance of principle of assistance in kind is made primarily with a view to putting up permanent counter against this growing danger. Principle of so-called subsidy in kind received considerable attention after present Treaty was signed and before outbreak of Khost rebellion.

This will be shown by the following quotations—

- (1) Dobbs' letter No. 897-K., dated January 22nd, 1922<sup>3</sup> relating to final report on Treaty negotiations in Kabul —  
"Moreover there is nothing to prevent our making substantial gifts to Amir from time to time outside the terms of the Treaty, and these gifts, being of our own free will and not made under any obligations, as a Treaty subsidy would be, will be more appreciated "
- (2) Paragraph No. 6 of Government of India's despatch to Secretary of State for India, No. 2 of 1922<sup>4</sup> reviewing Dobbs' report:—"In her internal development and slow advance in education, we can assist Afghanistan as no other Power can, and we should in our own interest seize every opportunity offered to us to do so ". Foreign Office despatch No 26 of June 21st, 1922,<sup>5</sup> communicated to me the general concurrence of Lords Balfour and Peel in views expressed in paragraph No 6.
- (3) Paragraph No. 7 (2) of Kabul despatch No 11 of 1922<sup>6</sup> :—"I would recommend that reasonable assistance in development of Afghanistan, even beyond the obligations of the Treaty, should be freely given ".

<sup>1</sup>Kabul tel. 48 (20-4-1925) (A. S. XVII 294).

<sup>2</sup>Tel. 473 (4-5-1925), from Viceroy to S. of S. (A. S. XVIII 27).

<sup>3</sup>F. 224-F. (1).

<sup>4</sup>Ibid. (2).

<sup>5</sup>Ibid. (12).

<sup>6</sup>F.-378-F. (3).

- (4) Despatch No. 47, dated October 30, 1922<sup>1</sup> from Foreign Office, embodying Lord Curzon's reply to above. 'I quite agree as to general principles of policy advocated in your despatch'. Unhappily, owing to absence of essential condition of neighbourly behaviour, no suggestions for putting this principle into practice could be made in 1923
- (5) Paragraph No. 8 of Kabul despatch No. 56 of December 1923<sup>2</sup> in which was advocated, as a definite policy, acceptance of principle of 'subsidy in kind' up to a maximum annual value of seven lakhs, to be earned by correct behaviour, and to be unknown to Amir.

If we now rule out such a policy on the ground that it amounts to blackmail and starts auction with Russia, it seems to follow that Russia is enabled, merely by continuing her sinister favours, to prevent His Majesty's Government from assisting effectively in the internal development of Afghanistan. I am strongly opposed for reasons given in paragraph No. 6 ('2) of my despatch No. 56 of 1923, to the grant by His Majesty's Government, in competition with Russia, of any subsidy, guaranteed by Treaty or communicated to Amir in advance, of present in cash; and would once more lay down as axiomatic that grant of any assistance in kind (i) should be asked for, (ii) should be in mutual interests of India and Afghanistan, and (iii) should be preceded by period of correct neighbourly behaviour. But with a full sense of responsibility, I submit that, if Russia is to continue to enjoy monopoly of granting substantial favours to Amir in return for consideration, His Majesty's Government must be prepared for risk of eventual dismemberment of Afghanistan, resulting in Russia approaching a step closer to India. Soviet Government budgets under existing Russo-Afghan Treaty for annual expenditure on Afghanistan of £100,000. Apart from this, they provide a sum of £50,000 a year which is understood to be spent on propaganda, and also gifts in kind. I therefore consider it essential to have behind me the knowledge that an annual sum of approximately 7 lakhs is available for assistance in the internal development of Afghanistan, if I am to be in a position to combat this campaign. Of course the fact of this appropriation would not be communicated to Afghan Government, but it would enable me to show a sympathetic attitude towards any request which fulfilled the condition above mentioned.

At present, owing to absence of a policy, I am compelled to discourage all such discussion.

For Government of India's willingness to sanction five lakhs of rupees this year for gift in kind, I am very grateful, and I agree that railway construction (as opposed to survey) is not a practical proposition at present. In near future Afghan Government are likely, in pursuance of hints already given, to ask for one of following four forms of assistance.—

- (a) Improvement of Khyber-Kabul road which is in a condition that seriously hampers trade. This will take at least two years to complete, involving additional grants in future years.
- (b) Construction of telegraph line to Kabul, Kandahar and Chaman, for which Amir is believed to be negotiating with private firm at Karachi at cost of sixteen lakhs, but which I understand could be carried out at less than half that cost by Government of India.
- (c) Gift of equipment for army.
- (d) Cash loan

Out of these, (c) would require the most careful consideration and is perhaps the most probable request. (d) I should be very reluctant on general grounds to recommend as it is hardly distinguishable from cash present. In my opinion, (a) and (b) would be conducive to interests of both countries, and might go some way towards reconciling Amir to continuance of present Treaty. What is most important of all is that such gifts would encourage Amir to adopt an attitude towards Russian benevolence, which I believe he feels to be in his own interest, *viz.*, to accept only such benefits as are unconditionally guaranteed by treaty, and to refuse additional favours which are coupled with dangerous conditions. I trust that the strong arguments, which Government of India have invited, for acceptance of principle of assistance in kind on the terms recommended in my despatch No. 56 of 1923 will be found in above summary. If I have not succeeded in making good my case for a policy, implicit object of which is to prevent Amir committing himself too far with

<sup>1</sup>(F.-378-F, 10).

<sup>2</sup>(A. S XI, 40).

the Russians, I suggest the desirability of examining some practical alternative for dealing with this urgent problem.—<sup>1</sup>

and two days later telegraphed —

' Foreign Minister said yesterday that he had been instructed to lay before me four requests for assistance by my Government in internal development of Afghanistan He proceeded to read them out in order in which I have placed them —

- (1) Free technical education in England of Afghan youths,
- (2) Sale of rifles, ammunition, and guns at concession rates, or preferably, free gift,
- (3) Assistance in realignment and construction of Khyber-Kabul road ;
- (4) Free gift of machinery for Kabul cloth, soap, and sugar, factories.

Foreign Minister then reminded me, as Amir had done, *vide* my telegram No. 48<sup>2</sup>, that opening sentence of Article VI of Anglo-Afghan Treaty asserted interest of British Government in Afghanistan's strength and prosperity. I replied that this friendly expression carried with it no obligations other than those which were contained in succeeding phrases of the Article. A man might evince sincere desire for prosperity of a friend without being willing to contribute directly to his household expenses This, Tarzi said, was true, but, if our two countries were to be linked more closely together, the small brother would look for help to the big one He went on to explain his requests.—

- (1) Material progress was impossible without technical knowledge, and no one in Afghanistan possessed any knowledge of this sort. English education was so expensive that Afghans could not afford it;
- (2) State was impoverished, and troops badly armed,
- (3) Present road to India was too long, and wrongly sited. Afghan motor transport service had been completely disorganised owing to its disgraceful condition. New road could only be satisfactorily made by English and Italian experts, but there was no money to pay for them or the necessary materials, particularly bridges;
- (4) Machinery, formerly installed by Pyne, Martin, and other English engineers, was worn out, and State could not, at present, afford replacement

Tarzi gave preference to No (2) and next to No (3). I said requests would be reported for information of my Government, but I had no authority to discuss them.

My comments are as follows. Please see my despatch No 9 of 1922.<sup>3</sup> For difficulty attending (1) the following are additional objections:—

- (a) Afghan youths once sent to England could hardly be recalled if Amir's attitude was subsequently incorrect;
- (b) Afghan relief would be nil.

As regards (2); of the 6 lakhs of rupees which was the total cost of rifles, ammunition and Lewis guns recently purchased Afghan Government already owes Government of India a balance of about 2½ lakhs This might be waived. I am opposed in principle to presents of war material, but sale at concessional rates, say £3 a rifle, might, if money were paid in, be considered

It seems to me that (3) is an attractive investment, and should be generally popular. Preliminary survey by first class engineer would be necessary, and, if Laghman and Lataband route were followed, length of road could probably be reduced by 30 or 40 miles I have learnt privately that Amir has abandoned idea of costly Tangi-Gharn undertaking. Work would occupy some years, if carried through properly, and would involve recurring grants. These need not exceed 6 or 7 lakhs of rupees annually, (less this year), which should cover cost of technical services, bridges, materials, etc. In case of incorrect behaviour work could be closed down.

I do not feel competent to offer an opinion as regards (4) but probably immediate effect would be small.<sup>4</sup>

**573. Assistance towards the realignment of the Kabul-Khyber road preferred.**—The Government of India out of the alternative forms of assistance suggested by the Minister gave reasons for preferring the realignment and construction of the Kabul-Torkham road.

<sup>1</sup>Kabul tel. 59 (11-5-1925) (A. S. XVIII, 50).

<sup>2</sup>(A. S. XVII, 294).

<sup>3</sup>[F. 21 (II) F. 10].

<sup>4</sup>Kabul tel. 60 (13-5-1925) (A. S. XVIII, 55).

"Unfortunately, this again is beset with some difficulties if to quote the Minister, the work 'would take at least two years to complete, involving additional grants in future years'. Seeing that we are only prepared at present to contemplate one gift to be made this year, and seeing also that Minister himself lays it down as an axiom that a possible repetition of the gift should be unknown to the Amir . . We feel....., that, while we are prepared to give Afghan Government expert assistance over the survey of the road and its realignment, it will be essential at this stage to define our assistance over the actual construction so as to keep within the limits of our proposed gift this year—"<sup>1</sup>

and in a telegram of May 30, offered an appreciation of the situation in Afghanistan, in which the two outstanding features were found to be 'instability of Amanullah's personal position', and 'markedly sudden growth of Russian penetration'.

At present they considered the situation 'so fluid that there is much to be said for deferring the taking of a definite decision on future policy. Minister's cure does not seem adequate to the serious character of his diagnosis'; and for these reasons they adhered to their recommendation of instituting 'one year's instalment of the Minister's policy, and carefully watching developments'.<sup>2</sup>

This elicited a despatch from the Minister in which he replied to the criticisms made by the Government of India, and definitely recommended the construction of the Kabul-Torkham road, realigned where necessary, as the form which the 'subsidy in kind' should take.

Replying to the objection that the proposal amounted to no more than a 'yearly tip', which though useful for oiling the machinery could not be regarded as an adequate counter to a real Russian menace, the Minister replied :—

'The so-called tip is equally valuable to both parties, and I believe that every link, whether by roads, railways, or telegraphs, which is forged between Afghanistan and India will result in the weakening of Bolshevik influence in this country, and the gradual pacification of the frontier tribes, thereby diminishing the possibility of friction between India and Afghanistan'.<sup>3</sup>

**574. The decision of His Majesty's Government.**—His Majesty's Government took a middle course between the Kabul and India views. They considered that decisions as to future policy in general would be best deferred; but agreed that some tangible mark of goodwill to Afghanistan was desirable, and therefore approved generally the proposal to grant assistance in realignment and reconstruction of the Kabul-Khyber road. But while sharing the objection in principle to promising anything in the nature of a recurrent subsidy, they did not feel that it was desirable to insist that assistance in this project should be kept strictly within the limits of a single one year grant.

They accordingly considered that the offer to the Amir should be framed on the lines of the Minister's proposal, which had been that he should inform the Amir that His Majesty's Government were willing to accede to his request, and grant him assistance with experts, imported materials, and contractors, to realign and construct the road, only so long as his conduct remained that of a friendly neighbour. It was also suggested that some further act of assistance which would have more immediate effect than the road scheme, such as remitting the balance due for rifles sold to the Amir, by the Government of India, amounting to 2½ lakhs of rupees, might be required.<sup>4</sup>

**575. Negotiations in connection with the road.**—The Government of India pointed out the lack of any authoritative estimate as to the cost of realigning the road,<sup>5</sup> and the Minister then elaborated his proposals for a survey of the alignment to be made.<sup>6</sup> In an interview on July 24, 1925, the Minister discussed the position of Afghanistan *vis à vis* both Russia and Great Britain, and laid emphasis on the fact that the latter had no intention of being drawn into a political auction for Afghan favour in rivalry with Russia. S. Mahmud Tarzi replied in terms of flattering reassurance.<sup>7</sup> On September 3, 1925 the Minister broached the subject of the road to the Amir, who asked for the alternative routes to be surveyed, but said that—

'the best way of affording him assistance would be for my Government to guarantee him a yearly sum of money, which would be spent at his discretion, not only on this road,

<sup>1</sup>Tel. 558 (18-5-1925), from Viceroy, to S of S. (A S XVIII, 65).

<sup>2</sup>Tel. 625 (30-5-1925), from Viceroy, to S of S. (*ibid.*, 86).

<sup>3</sup>Kabul despatch 38 (6-6-1925) (*ibid.*, 102).

<sup>4</sup>Tel 1482 (10-7-1925), from S of S, to Viceroy (*ibid.*, 180).

<sup>5</sup>Tel. 887 (21-7-1925) (*ibid.*, 202).

<sup>6</sup>Kabul Ex letter 255-6 (23-7-1925) (*ibid.*, 214).

<sup>7</sup>Kabul despatch 60 (24-7-1925) (*ibid.*, 217).

but on any works which he might consider useful To grant him assistance, whether pecuniary or in kind, for any particular purpose, would be derogatory to his independence .... .... I replied that this was a surprising proposal which I could not entertain for a moment..... The Amir then earnestly requested me to induce His Majesty's Government to grant facilities for the training of selected Afghan youths in England for military police, engineering, and business careers. The Amir went on to denounce the perfidy of the Soviet Government which he said was 'plotting night and day for the destruction of his dynasty and the Bolshevikising of his country'..... He admitted that this coldness on the part of Great Britain had made him desperate, and driven him into a rapprochement with Russia, which he now bitterly regretted He assured me that his chief desire was to disentangle himself from the meshes of the Bolshevik net which had been spread to ensnare him'.<sup>1</sup>

An appreciation of the Anglo-Afghan situation by the British Representative in Moscow, dated July 24, 1925, raised an objection to delaying the definition of a policy, by pointing out that Russia was becoming economically stronger, not weaker; and that the longer the question of countering Russian designs in Afghanistan was postponed, the more difficult the task would become. This despatch also mentioned the sentiments expressed on the subject by S. Nadir Khan, and his brother S. Muhammad Hashim Khan, Minister in Moscow, as agreeing with those of the Amir, and ended by supporting the proposals made by the British Minister at Kabul.<sup>2</sup>

576. The Government of India accept the 'subsidy in kind'.—In September 1925, Sir F. Humphrys visited India, and discussed the whole question of Russian penetration with the Government of India, and by October agreement as to the measures to be taken to counter this menace had been reached. The programme accepted now included the policy of the 'subsidy in kind':—

'(3) By granting the Amir material assistance in kind (provided that he asks for it, has earned it, and it is to the mutual advantage of India and Afghanistan), we should endeavour to wean him from dependence on Russia Probably the community of Indo-Afghan interests could not be fostered in any better way than by the civilising influence of the increased trade and intercourse as would arise from progressive improvement of the communications between the two countries Hence it is for this reason that we have endorsed the Minister's proposal for the improvement of the trunk road between India and Kabul. The Amir's scheme for internal progress, we have reason to believe, includes the extension of railways into his country, and it is understood that he is already contemplating a survey by Germans. If therefore the Amir makes any overtures to us, we think we should express our willingness to provide him with an expert survey for a railway extension either to Jalalabad or Kandahar. The general question of extension of railway system into Afghanistan raised in Minister's despatch No. 23<sup>3</sup> has been engaging our attention, and we before long hope to address you in detail on it Other suitable forms of assistance would be the free loan of Indian experts for the construction of the telegraph line Chaman-Kandahar-Kabul, and on his return Humphrys will endeavour to encourage the Amir to put forward this request in view of the Russian offer of which we have just received information from a specially reliable source, also of Indian personnel to work the telegraph or radio system until Afghans are trained ; at a later stage, assistance over civil aviation on an air route between India and Afghanistan, possibly also assistance to a British Company to compete with the reported Russian offer to instal a wireless station at Kabul connecting direct with Europe Of course each of these possible forms of assistance would have to be examined in detail, if and when the occasion arose, and at this stage we do not contemplate anything more than could be covered by the Minister's proposal for an annual expenditure of 7 lakhs. The Amir's request for education of Afghan youths in England, in our opinion, offers no reasonable prospect of success without preliminary training, which at present is almost wholly lacking, and we are not in favour of a gift, or of the sale at concessional rates, of military equipment other than transport vehicles.

We feel that, apart from its effect in countering Russian penetration, the policy above suggested would help to reconcile the Amir to the continuance of the present Treaty, would serve as a useful sign of our appreciation of his correct behaviour on the frontier during the past 18 months, and would encourage him to link his fortunes with India by facilitating the progress on wholesome lines of south-eastern Afghanistan.

The policy herein advocated is result of much thought and discussion with Minister. We have reached complete agreement.'<sup>4</sup>

<sup>1</sup>Kabul despatch 75 (5-9-1925) (A. S. XIX, 22).

<sup>2</sup>Moscow despatch 491, (24-7-1925) (*ibid.*, 17).

<sup>3</sup>(A. S. XVII, 260), see para. 582

<sup>4</sup>Tel. 1323 (22-10-1925) from Viceroy to S. of S. (A. S. XIX, 67).

It is important to notice that the 'subsidy in kind' was now regarded mainly as one of the possible methods by which the growth of Russian influence in Afghanistan might be checked:—

'The grant of assistance in kind towards the material progress of Afghanistan as a counter to growing Russian influence.'<sup>1</sup>

The despatch in which it was first proposed however had never claimed that it could achieve this object.<sup>2</sup>

**577. Survey of the road**—On November 20 the survey party arrived in Kabul.

In a despatch of January 18, 1926 the Minister reported some 'tiresome and futile suggestions' made by the Amir, warned the Government of India 'of possible difficulties ahead'; and made proposals for allotting different sections of the project for completion by British and Afghan agency respectively.<sup>3</sup>

The Minister in reporting the completion of the survey stated that it would be no easy matter to secure the Amir's agreement to these proposals.<sup>4</sup>

The Amir was very slow in coming to a decision.<sup>5</sup>

On August 11 another request was made for assistance in cash towards the construction of the road.<sup>6</sup>

At last the Amir was reported to have accepted the programme for the distribution of work proposed by the British Minister, but a letter was requested stating that His Majesty's Government would 'not claim any proprietary rights in the road, or any special concessions in regard to using it.'<sup>7</sup>

**578. The Afghan Government reject the road project.**—This assurance<sup>8</sup> was given, but on October 26, S. Mahmud Tarzi informed the British Minister—

'that the Council of Ministers had taken objection to the form of assistance which we had agreed was the most suitable . . . The Council's alternative request was that my Government should pay to the Afghan Government an agreed sum of money to be expended on 'the peaceful progress of Afghanistan.'

The Amir also told the Minister that the Council—

'strongly held that any assistance that might be granted by my Government towards the construction of the road should take the form of an unconditional gift of cash or of materials which might be employed anywhere in Afghanistan'

The Minister replied that he 'was now confronted with what virtually amounted to a request for a subsidy which had never been on the tapis', and which he was 'not authorised to discuss.' The Amir said that the doubts of his Council were inspired by fear of similar measures which Russia might demand to undertake in the North. In the Minister's opinion the principal reason for this development was—

. 'to be found in the reluctance of the majority of the Afghan Ministers, which is fully shared by the King, to abandon all hope of obtaining a large gift in cash from the British Government. Such a gift would establish a strong precedent in the Afghan view for the reintroduction of the British subsidy, the lapse of which Afghans of all shades of opinion never cease to regret, and which would in any case provide immense possibilities for misappropriation and embezzlement'

The Minister added that he was strongly opposed to the grant of a gift as proposed, either in cash or materials, as he was convinced that neither would serve any useful purpose, and recommended that he should be instructed to do nothing further in the matter until the Afghan Government showed signs of reverting to the proposal in its original form.<sup>9</sup> Instructions were given accordingly by His Majesty's Government.<sup>10</sup> There appears to have been no estimate made of the actual value of the contribution to be made by the Government of India, under the Minister's scheme; but the cost of the survey which was carried out, and debited to Indian revenues, was just under Rs. 70,000<sup>11</sup>

<sup>1</sup>Kabul despatch 34 (21-5-1925) (A. S. XVIII, 80).

<sup>2</sup>Para 570.

<sup>3</sup>Kabul despatch 6 (18-1-26) (A. S. XIX, 183).

<sup>4</sup>Kabul despatch 29 (15-4-26) (A. S. XX, 6).

<sup>5</sup>Kabul despatch 56 (26-7-1926) (*ibid*, 143).

<sup>6</sup>Kabul tel. 104 (14-8-1926) (*ibid*, 162).

<sup>7</sup>Kabul tel. 131 (1-10-1926) (*ibid*, 229).

<sup>8</sup>Letter 434/4 (10-10-1926) from Min. Kabul to Af. For. Min. (*ibid*, 260).

<sup>9</sup>Kabul despatch 109 (28-10-1926) (*ibid*, 274).

<sup>10</sup>F. O. tel. 43 (16-12-1926) (A. S. XXI, 7).

<sup>11</sup>F. 404, F. 1925 (q. v. for rates of pay of officers employed and other financial details).

579. Other forms of material assistance.<sup>1</sup>—The reconstruction of the Kabul Khyber road was only one of the forms which, it was suggested, a ' subsidy in kind ' or grant of ' material assistance ' might take.

The others, mentioned at the Mussoorie Conference and in subsequent official correspondence, may be noticed *seriatim*.

580. (1) Education of Afghans in Europe, America and elsewhere.—In the Mussoorie *Aide Memoire* [4 (b)] ' reasonable assistance towards the education in Europe ' was offered in the event of a conclusion of a Treaty of Friendship.

Since October 1921 a large number of Afghan boys have been sent for education to various European countries, but only one, S. Mahmud Tarzi's son, to England. The significance of this policy was discussed by the British Minister in 1922.<sup>2</sup>

' The first mention in official correspondence of European education for Afghan youths is apparently that contained in Sir H. Dobbs' memorandum of the Second Meeting of the Mussoorie Conference. . . . There England is definitely stated to be the country to which the Amir proposed to send his students. However in Sir H. Dobbs' telegram 121-M C, dated 1st July 1920 the Amir's idea is described as the education of young Afghans in Europe. The specific mention of England has dropped out, and so far as I am aware does not recur . . . . The reasons which have influenced the Amir in choosing the Continent rather than Great Britain for the education of his future officials, appear to have been the following:—

- (a) The greater cost of British as compared with Continental education. . . . .
- (b) The advice of the present Foreign Minister, presumably tendered on his return from Europe, as to the relative educational and social advantages offered by the various countries which he visited. . . . .
- (c) The natural aim of the Amir to keep his country free from the influence of those powers—Great Britain and Russia—which from their geographical position are, he considers, a menace to his independence.'

This despatch went on to question the wisdom of sending Afghan youths to Europe, and to suggest that the Amir would be well advised to substitute for his present programme home training under competent foreign teachers, with a subsequent technical or business education in India, while only pupils of exceptional promise should be sent to Europe. It was proposed that no action should be taken in the matter, except to encourage unobtrusively any tendency of the Amir to divert his educational policy into these channels.

The Government of India concurred in this view, although regarding the fact that only one student had been sent to England as ' disturbing ', in view of the important part which students trained in Europe were likely to play in future.<sup>3</sup>

In December 1922 the Minister reported that the Amir had remarked that he would like to send a few Afghan youths to England, including his own son, but was deterred by the enormous expense of English, as compared with Continental, education.<sup>4</sup>

The Secretary of State in replying to the despatch from Kabul agreed that the difficulties of attracting Afghan youths to England for purposes of education were almost insuperable, ' even if the expediency of the measure were beyond doubt ' ; although special arrangements might be made in individual cases. Subject to this proviso the Minister's proposals were approved.<sup>5</sup>

The ' Ittihad-i-Mashriqi ' in September 1922 stated that one of the chief reasons for Afghan and other Asiatic students preferring French and German Schools and Universities to British, was that in the latter they found themselves subjected to restrictions and racial exclusiveness, which they did not meet with on the Continent.

The subject, as has been already noticed, was more than once raised in conversations with Sir F. Humphrys at Kabul,<sup>6</sup> but the latter in his telegram 60 of

<sup>1</sup>For the question of supply of munitions and aeroplanes see paras. 541, 542, 543.

<sup>2</sup>Kabul despatch 9 (29-7-1922) (F. 21 II-F 10).

<sup>3</sup>Tel. 1273 (28-10-1922) from Viceroy to S. of S. (*ibid.*, 14).

<sup>4</sup>Kabul tel. 132 (2-12-1922) (*ibid.*, 16).

<sup>5</sup>F. O. despatch 1 (1-1-1923) (*ibid.* 21).

<sup>6</sup>See Kabul despatch 87 (14-9-1926) (A. S. XX. 213).

May 13, 1925<sup>1</sup> pointed out further objections to the grant of such assistance as a form of the ' subsidy in kind ', nor did the Government of India view it favourably.<sup>2</sup> In December 1926 the Afghan Minister in London informed the Foreign Office that ten students were being sent for police training in England.<sup>3</sup>

The subject was discussed by Sir F. Humphrys with S. Mahmud Tarzi, who explained why he could not agree to send these students to India.<sup>4</sup> The Afghan Minister was informed that facilities could be given to the students and that no fees would be charged for tuition.<sup>5</sup> While the necessary preliminaries were under discussion, Sir F. Humphrys learnt that six students had already left for police training in London.<sup>6</sup>

581. (2) Railways were discussed by Mr. Dobbs at the Fourteenth Meeting at Mussoorie, and the summary of a note dated January 1st, 1905, which had been handed by Amir Habibullah Khan to Sir Louis Dane, read out. The summary contemplated the construction of a ' railway on the Chitral border, and another railway through Farah to the border of Hashtadan ', but on examination the Government of India had decided they could not take up the project.

Mr. Dobbs went on to explain the necessity of careful examination of any such scheme, and added ' we should possibly have not only to consider the advantage to Afghanistan from this, but also how far it would affect our schemes of defence. For instance, I do not know how far in the direction of Russian territory the military authorities will be prepared to help Afghanistan.'<sup>7</sup>

Mr. Dobbs also informed the Afghan delegates on the same occasion that it had been decided to construct the Khyber Railway.<sup>8</sup>

'The entry in the *aide memoire* on the subject read:—

' 4 (c) Reasonable assistance to be granted gradually, as financial and other circumstances might permit, towards the construction in Afghanistan of railways.'<sup>9</sup>

In April 1921 we hear of negotiations on the subject between the Afghan Minister at Moscow and W. B. Vanderlip<sup>10</sup>:—

' The United States might grant a loan to the Afghans to enable them to build telegraphs and railways. He said that it was most important to select a port free from hostile influence. The only alignment which would fulfil this condition would be from Kabul to Sistan, and on to the Persian Gulf '<sup>11</sup>

These negotiations evidently came to nothing.

In March 1922 Mr. McHaffie, a representative of a British firm, was in Kabul discussing the supply to the Afghan Government of materials for 200 miles of metre gauge railway,<sup>12</sup> but was unable to obtain reasonable terms, and finally left for India without concluding any contract.

A light railway was however actually constructed in Dar-ul-Aman, the new capital, for the transport of building materials.

In 1922 S. Mahmud Tarzi informed the British Minister that ' grave anxiety to Afghan General Staff was being caused ' by the construction of the Khyber railway, and received assurances as to its purpose.<sup>13</sup>

In January 1923, the Foreign Minister discussed with Sir F. Humphrys the feasibility of railway construction in Afghanistan; the first line which it was desired to construct being one from Kabul to Kandahar with an eventual extension to Herat. Sir F. Humphrys suggested that in the interests of economy it would be advisable to begin with an extension from Chaman to Kandahar, and the Foreign Minister agreed.<sup>14</sup>

<sup>1</sup>Para. 572.

<sup>2</sup>Para. 576.

<sup>3</sup>Letter from Af. Mn (17-12-1926) (F. 351, F. 27, 4).

<sup>4</sup>Kabul despatch 15 (10-2-27) (F. *ibid*, 6).

<sup>5</sup>F. O tel 13 (24-3-1927) (*ibid* 9).

<sup>6</sup>Kabul tel 124 (31-10-1927) (*ibid* 14).

<sup>7</sup>Progs. of the 14th Meeting.

<sup>8</sup>*Ibid*

<sup>9</sup>Progs. of the 17th Meeting.

<sup>10</sup>Para. 276.

<sup>11</sup>Tel. 36 (4-4-1921), from Br. Rep., Kabul, to C. G. S. (A. S. V 141).

<sup>12</sup>Diary M. A., Kabul 1922, 21 (16)

<sup>13</sup>Kabul tel 22 (18-5-1922) (A. S. VII 344).

<sup>14</sup>Kabul despatch 6 (10-2-1928).

During the Anglo-Afghan crisis of 1923 and the Khost rebellion of 1924 conditions were clearly not favourable for the entertainment of ideas of railway development by the Afghan Government, or for the discussion of them with the British Minister.

S. Nadir Khan however in a conversation with Sir F. Humphrys on September 15, 1923 gave a hint that the Afghan Government hoped for British assistance in this direction<sup>1</sup>, and about the same time an Afghan paper spoke of the strength which accrued to a country from a 'network of railways'.

Early in 1924 the Afghan Foreign Minister mentioned to Sir F. Humphrys a project for a railway from Chaman to Kabul, via Kandahar and Ghazni; and in January 1925 the German Chargé d'Affaires said that a German firm had been approached for estimates for a railway to link up Kandahar and Chaman with Herat and 'alternatively for a railway from Chaman to Kandahar and outlying districts.'<sup>2</sup>

In October Meissner, the Director of the Deutsch Afganische Company was informed that the Afghan Government 'wanted Deauville railway from Dakka to Jalalabad which would eventually be extended to Surkhpul and Kabul'.<sup>3</sup>

The Afghan Government apparently did not intend to extend this line towards the Indian frontier from Dakka.<sup>4</sup>

**582. Kabul despatch 23 of 1925**—In a despatch dated March 28, 1925 the Minister suggested that the time was 'opportune for a preliminary survey' of the question of railway construction in Afghanistan.

Two possible extensions were discussed; the first from Landi Khana to Kabul consisting of three sections, of which the first (9 miles) Landi Khana to Dakka, the Minister seemed to suggest, would present few difficulties; the second Dakka to Jalalabad (48 miles) 'would arouse considerable opposition from the Mullahs'; and the third Jalalabad to Kabul (128 miles) 'would probably involve prohibitive expenditure.'

The second extension discussed was that from Chaman to Kandahar (65 miles), regarding which the Minister said 'The people of Kandahar are less fanatical than their brethren in the Eastern or Jalalabad Province, and, so far as I am able to judge, would universally welcome a railway to Kandahar.'

The possibility of the Afghan Government insisting on a break of gauge at the frontier was indicated, and the repercussion of railway construction in South-eastern Afghanistan on Russo-Afghan relations taken into consideration.

'It is inevitable that any railway activity in the South East would cause great irritation to Russia, and provoke counter measures in the North.'

The Minister concluded however :—

'On the whole I am of opinion that the balance of advantage to India and Great Britain lies heavily in the direction of railway communications between South Eastern Afghanistan and the Indian frontier ..... the essential condition for the linking of an Afghan railway with the Indian system would, I presume, be the construction, maintenance, and working of such a railway, for some years at any rate, by the Indian Railway Department. There are at present no Afghans trained in railway work, and the employment of persons of other nationalities would, I consider, be injurious to British prestige and interests.'<sup>5</sup>

It was suggested that a free survey of a railway from Torkham to Jalalabad and from Chaman to Kandahar, and thence to Kabul if necessary, might be undertaken on the request of the Afghan Government under the policy of 'subsidies in kind.' For construction itself it was proposed that a loan might be granted to the Afghan Government, if reasonable security were forthcoming.

**583. Views and discussions.**—The views of the Agent to the Governor General in Baluchistan and of the Chief Commissioner, N. W. F. P. on Sir F. Humphrys' proposals were invited. The former agreed generally with these, but was opposed to the running of the line with personnel of the Indian State Railways, and preferred that the 'railway staff should be either Afghan or British subjects in Afghan service.'

<sup>1</sup>Kabul despatch 37 (17-9-1923).

<sup>2</sup>Kabul tel. 9 (21-1-1925) (F. 330-F. 25, 1).

<sup>3</sup>Kabul tel. 372|1 (7-10-1925) (*ibid.*, 4).

<sup>4</sup>Kabul tel. 372|2 (10-10-1925) (*ibid.*, 6).

<sup>5</sup>Kabul despatch 23 (28-3-1925) (A. S. XVII 260).

<sup>6</sup>Memo. 576 (20-10-1925), from Baln., to G. of I. (F. 330-F. 8).

The Chief Commissioner considered that under favourable conditions the extension of the Khyber Railway into Afghanistan would be beneficial to the Frontier administration. He held that it would be the linking of Afghanistan to the British system which would arouse suspicion among the tribes, and not the development of railways in Afghanistan itself. Even so he would not hesitate to support such a scheme, ' always provided that it is the Afghan Government which takes the initiative '. He did not consider that a railway terminus at Dakka or Jalalabad could threaten the position of Peshawar as a commercial centre, and concluded that the development of railway communication with Afghanistan would be politically and commercially advantageous. He agreed with Sir F. Humphrys that the balance of advantage lay in the construction, maintenance, and working of such a railway being undertaken by the Indian Railway Department at any rate for some time to come.<sup>1</sup>

In January 1926 Sir R. Hodgson compiled a memorandum of a conversation held in Paris with S. Nadir Khan,<sup>2</sup> who made some very wild remarks on the subject of railway extension in Afghanistan, an old hobby of his,<sup>3</sup> which he also broached to M. J. de Gunzburg.<sup>4</sup>

The question was now examined by the Chiefs of Staff in England who came to the conclusion that extensions from Chaman to Kandahar, and from Landi Khana to Kabul would present 'undoubted military advantages'.<sup>5</sup>

In August 1926 Sir F. Humphrys asked that the question should be considered in all its aspects and in connection with road schemes already under discussion.

'On political grounds I am strongly of opinion that improvement of communications between South Eastern Afghanistan and India is the best counter we can put up here against Soviet menace.'

He considered that possible fanatical opposition to the railways was not an insuperable objection; that railhead at Landi Khana should be extended at least as far as Dakka; that extensions from Chaman and Landi Khana should be broad gauge; and that construction, maintenance, and working, should be in the hands of the Indian Railway Department until Afghans were trained. Sir F. Humphrys asked, if his views were accepted in principle, for authority 'to afford an early opportunity to Afghan Government of making request for free surveys of extensions to Kandahar and Jalalabad.' He did not think it would be feasible to extend the railway from Jalalabad to Kabul for many years to come. 'Question of ways and means could be examined after presentation of Survey Report.'<sup>6</sup>

A few days later he gave some figures which he considered reliable regarding the Afghan budget,<sup>7</sup> and concluded :—

'No provision is, or can be, made for capital expenditure out of revenue or general reserve on railway construction, unless the programme were of most exiguous nature. From above it seems clear that financial assistance in some form would be required for extension of railways from India into Afghanistan.'<sup>8</sup>

In September he telegraphed :—

'On the assumption that railway extensions to Kandahar and Jalalabad are held to be in the general interests of India, in my opinion it would not be wise to allow ourselves to be deterred from constructing them by fear of counter activity on the part of the Russians in North... . . It seems safe to assume that Russia will require no excuse to extend her railways into Afghanistan, whenever she is ready to do so, and will not wait for further weighty considerations than Government of India have already given by building Khyber Railway with terminus in the air.'<sup>9</sup>

**584. Government of India despatch 10 of 1926.**—The Government of India then addressed the Secretary of State in a despatch, with which were forwarded notes by the Chief Commissioner of Railways on the technical and commercial aspects of the proposal, and by the Chief of the General Staff, India, on the strategic considerations involved.

<sup>1</sup>Memo 2616 (2-12-1925), from N. W. F., to G. of I. (F. 330-F. 9).

<sup>2</sup>Paris despatch (14-1-1926) (*ibid*, 10).

<sup>3</sup>Para. 581.

<sup>4</sup>Para. 340.

<sup>5</sup>F O tel 26 (14-8-1926) (F. 330-F. 11).

<sup>6</sup>Kabul tel. 107 (18-8-1926) (*ibid* 13).

<sup>7</sup>Para. 336.

<sup>8</sup>Kabul tel 110 (21-8-1926) (F. 330-F. 14).

<sup>9</sup>Kabul tel 126 (17-9-1926) (*ibid* 15).

The despatch itself ran as follows :—

Difficult though this problem is, several factors stand out clearly. From the purely technical point of view an extension beyond the Khyber is desirable in the extreme. On our own side of the frontier there is no room for a proper terminus, even if there were, railhead would still fail to attract the Central Asian traffic, for the caravans would continue to go by road to and from Peshawar, but with railhead even as little advanced into Afghanistan as Dakka, King Amanulla would almost certainly place an embargo on the passage of caravans towards India beyond that point. If we examine the problem from the commercial and economic aspects (without reference for the moment to the possibility of financial participation by ourselves in the schemes), the arguments are strongly in favour of an extension on both the Khyber and Chaman sides, and these are well put in the enclosed note by the Chief Commissioner of Railways. And the political advantages are great indeed that would accrue to India with railways running freely between Kandahar and Quetta, Jalalabad and Peshawar, fostering civilisation in Afghanistan as perhaps nothing else could, linking the two countries together by ever-strengthening ties of commerce and intercourse, and affording the tribesmen on both sides of the frontier a continuous demonstration that Afghanistan and India were at last acting in unison.

All this is true, and the sum total of the arguments in favour of railway extension into Afghanistan is so great, that it requires some effort of mind to allow the arguments on the other side their full force. Yet these are all explicit or implicit in the Minister's despatch, and justify the essential caution with which he recommended the problem should be tackled.

There are first the internal difficulties the King might have to overcome before he could get so startling an innovation safely and firmly launched. On the Kandahar side, as the Minister points out, public opinion seems more or less prepared for the approach of the railway. Indeed the trading sections of the population would most likely welcome it actively. But there are others who would not, and it must not be forgotten that even the construction of motor roads was among the causes of unrest in Kandahar during the time of Amir Habibullah. Nor in weighing the probable internal effect of railway development between Kandahar and Chaman would it be safe to focus our attention solely on Kandahar and its neighbourhood, for a western innovation so great as railways would excite interest far beyond the particular province in which it was actually introduced. Even when we consider an extension to Kandahar alone, we must take into our calculations the probabilities of opposition from fanatical sections in the population elsewhere which, as the Minister appreciates, the King would have to face if he ventured on an extension to Jalalabad. Hence, though the Minister is obviously right in thinking that railways once safely established in Afghanistan would make for the stability of the Central Government, (their possible use by a neighbour for aggressive purposes being of course ignored), it would seem unwise to discount too heavily the difficulties the Central Government might encounter in initiating the experiment. And the unpopularity of the Amir's reforms and the consequent restiveness of a naturally disunited, undisciplined, and conservative people constitute one of the two chief dangers that have been from some time inherent in the Afghan situation.

Russian penetration, which constitutes the other great danger in the Afghan situation, would almost certainly be stimulated. There may perhaps be a bare possibility that Russia, seeing Afghanistan turn so ostentatiously towards India despite the lavish expenditure of Russian moneys, might abandon her policy of penetration as unprofitable and ruinously expensive. Were there really a likelihood of this, it would of course be worth our while to spend much on bringing it about. But it is, we fear, hardly a possibility, certainly nothing more. It is far more likely that railway extensions in south-east Afghanistan would stimulate counter-activities by Russia north of the Hindu Kush, or in the direction of Herat. True, the physical conditions of the country are in favour of India, as the Minister points out. In particular, the mighty barrier of the Hindu Kush rules out the linking of the Termez system with Kabul. And this is a fact so patent that it is calculated to prevent the Russians being first in the field of railway enterprise, since any railway ambitions the King may have are likely for political reasons to centre in his capital. But we could not rely on physical difficulties generally to prevent the Russians following in our wake. For neither the Oxus nor the Parapamisus range are effective barriers to extensions of the Russian railway systems into Afghanistan. And though railway activities are perhaps the most dangerous form Russian activities might take—an argument that we shall develop when we turn to the strategical aspect of the problem—there are plenty of other forms of activity with which the Russians could answer what they could hardly fail to regard as a direct and dangerous challenge from us, if (contrary to our calculations) they felt too heavily handicapped over railway construction. In short, in existing political conditions the almost certain sequel to an extension of the Indian

railway systems across our borders would be a determined attempt by Russia to force the pace generally in Afghanistan.

This is an argument against an advance of our railway system that must needs weigh heavily with us, for should Russia force the pace further, it must sooner or later mean a fresh advance in our auction with her, the avoidance of which is our theoretic ideal, yet threatens from time to time to become so dangerous as to be impracticable. But it is after all an argument that might be used to baulk almost any form of activity on our part in Afghanistan, however much needed by Afghanistan, however much solicited by the Afghan Government, however advantageous in itself to ourselves. And it is not as if Russia would be likely to slacken her activities if she were left the Afghan field entirely to herself. As matters now stand, nothing but a definite renunciation of Afghanistan as a sphere for her activities, won from her in a general Anglo-Russian agreement in return for concrete advantages elsewhere, would be likely to put the brake on Russia, and in the present posture of world politics such an agreement is presumably chimerical. The danger of stimulating Russian counter activities might be lessened if the extensions from our railway systems were made and financed and run by other agency than our own—an arrangement which would have the further advantage of relieving us of anxiety over the safety of British employees on the railway, with all the implications of an untoward incident in present-day conditions of Afghanistan. But save possibly in connection with schemes for a rudimentary railway of the Decauville type, there seems no chance of Afghanistan being able either herself to finance or to induce others to finance railway developments on our borders. From the Afghan point of view such a railway might indeed have special attractions; not only would it serve Afghanistan's immediate needs, it would be something that the Afghans could represent as a definite break from India, and something essentially Afghan, and it would be something that they themselves could manage with the minimum of difficulty, except of course as regards transhipment at the break of gauge. But, as our Chief Commissioner of Railways points out, the economic and technical arguments in favour of extensions with gauge unbroken are strong. And even though their strength can hardly be expected to appeal as much to Afghanistan as to ourselves, and though the military danger of unbroken gauge must of course appeal to her far more. Afghan vanity is likely to prove stronger than either Afghan *Particularismus* or Afghan prudence. And the fact remains that a railway of more than a few miles on anything like the same gauge as our own would in all probability prove neither within the means of Afghanistan itself, nor attract the necessary capital from some foreign country.

In examining the problem, therefore, we are forced to examine it on the assumption that it is our finance and our engineers and our staff that would bring the extensions into being, and run them until Afghanistan could produce the technical personnel to take them over. The Minister speaks of the possibility of a loan to Afghanistan. Even if stable political conditions could be assumed—and they cannot—the financial prospects of railway construction in Afghanistan could only be regarded as supremely speculative. The loan therefore could hardly be raised in the open market; we must assume that it would be granted by the Indian Government in consideration of the many advantages the extensions would bring to India. Unfortunately, we should be deceiving ourselves if we regarded it as a loan. Disguise it as we might, the loan would not be repaid directly, however great the indirect returns might be. From a purely financial point of view it would be unproductive expenditure.

And this is a factor that would have its political reactions. For we must consider the effect on the Afghan Government of receiving from us so material a subvention as would be involved by the financing of extensions of the broad gauge to Jalalabad and Kandahar. It would not be a case of our fostering Afghan self-help, as we propose to do over the realignment of the Khyber-Kabul road. For one thing the total bill would be very much larger, large though that bill seems likely to prove. For another, even if we attempted to divide the expenditure between Afghanistan and ourselves in proportion to the outlay on the non-technical and technical portions, the share that would fall on us would presumably be far greater than the share that would fall on Afghanistan. For a third, the Indian gauge (if gauge were to be unbroken), the Indian constructional and running personnel, and the rest, would mark down the railway as essentially Indian. Hence, apart from the dangers in all this of stimulating counter-activities by Russia and the fanatical nationalism of conservative Afghanistan, the prejudicial effect on the Afghan Government and on the trend of our Afghan relations generally, when it found us ready to pour into its lap Indian moneys to the extent that would be involved by railways on this scale, is an element in the problem that points to the advisability of caution.

The necessity for caution is doubly great when we turn to the strategical aspects, which are elaborated in the annexed appreciation by our General Staff. A close study of the available information has led them to these conclusions—

I As regards war with Afghanistan alone, though railway extension in peace towards our objectives, especially in the direction of Kabul, would be all to our advantage, it would

not be essential to the success of our plans. Moreover by speeding up construction in war the advance of railhead should be sufficiently rapid to be of value to us, in the event of more extended operations being forced upon us than those we at present contemplate,

### II. As regards war with Russia in Afghanistan—

- (a) We should have no prospect of eventual success without railways supporting our armies, but without similar aid the Russians could not develop important forces either.
- (b) Even if we leave it to Russia to initiate railway extensions into Afghanistan, geographical conditions give us a time margin which should be sufficient to enable us to forestall Russia in strength, at the points strategically most favourable to us, *viz.*, in the Kabul area and on the line of the Helmand.
- (c) We can therefore view a Russian start without panic, provided we can count on being able to begin counter construction without delay.

III Extension of railways either from Russia towards Herat or from India towards Kandahar must eventually create a demand for their continuation through Afghanistan. Any move, Russian or Indian, carries with it, therefore, the risk of starting a railway race and of bringing Russia and India face to face, whether in Afghanistan or on the Indian frontier. This contact may be inevitable, but we should do nothing to hasten it. It would mean the maintenance of a larger army in India, increase the chances of conflict, and set up a state of constant insecurity on the frontier.

IV. Hence, however attractive the initiation of railway extensions from India may be from the point of view of war with Afghanistan alone, its advantages cannot be weighed against the great disadvantages of the wider and more remote consequences.

After studying this difficult question in all its bearings we feel that all other arguments, strong though they are and but for strategical reasons almost conclusive in their combined effect, must give way before the paramount necessity of doing nothing which might prejudice the defence of India. And our conclusions are these. There would be much danger in precipitate action, whether on our part, or the King's. It would in any case be unwise for us to make the first move, even to the extent of encouraging the King to broach the subject. Should he do so of his own initiative, we recommend that the Minister should be instructed to adopt a sympathetic but unenthusiastic attitude; that he should expound with full candour the likelihood of any railway extensions from India leading to pressure, in the end probably hardly resistible, for railway extensions from Russia; the dangers that would flow to Afghanistan in times of war from either extension, north or south, and the certainty, as we see it, that a railway extension in the north would facilitate any aggressive designs that Russia might harbour, and so tend to impair the security of India's north-west frontier. Should the King, despite a clear exposition of the strategical considerations, still press for our aid in furthering his scheme, it would, we feel, be dangerous for us to turn him the cold shoulder: to do so might drive him the more into Russia's arms and precipitate railway construction in the north. But even in this case we should still counsel caution. The Minister, we think, should explain that, until the ground had been thoroughly surveyed, it would be premature for the King to attempt to consider in detail any particular schemes at all, and should offer him the services of our expert staff to undertake the necessary surveys. And the Minister should seek to draw the King's ideas away from an extension towards Kandahar and on to an extension from the Khyber towards Kabul, discouraging him from contemplating anything more in the first instance than a short extension to Dakka, which would give the Khyber Railway a much needed terminus, Afghanistan a short line of its own linking up directly with our system on the direct road to Kabul, and the King experience of the attitude of his people to the introduction of railways, without the dangers that might be involved in an extension of appreciable length.<sup>1</sup>

**585. The Minister's comments.—**Sir F. Humphrys comments on this despatch were briefly that:—

- (1) the internal difficulties which the Amir would have to face in introducing railways can easily be exaggerated. 'Progress on modern lines is the order of the day, and has been accepted by Afghans generally;'
- (2) the Russian contributions have considerably exceeded the British, so that 'if there is anything in the theory that Afghanistan aims at maintaining an even balance between England and Russia, there is room for much British activity in the South-East before the scales could be said to be unduly weighted in favour of England;'

<sup>1</sup>(F. 330-F, 16).

- (3) Railway extensions could not be carried out by foreign personnel with British capital. The Afghan Government could and would protect any Indian personnel engaged. A loan to Afghanistan would stand small chance of being directly repaid, but the outlay would probably not be 'wholly unproductive';
- (4) It is a fallacy to suppose that 'our refusal to build' a railway extension to Kandahar 'would defer for a single day the far more dangerous project of an extension from Kushk to Herat'; or that 'should Russia be first in the field, we could count on a zero hour from which to commence our own building programme without the consent of the Afghan Government';
- (5) In his opinion the Amir's contemplated railway programme would probably be found to envisage the following stages of construction :—
- (i) Chaman to Kandahar
  - (ii) Kandahar to Kabul (*via* Ghazni)
  - (iii) Kushk to Herat
  - (iv) Herat to Kandahar to be carried out from both ends

and if deflected from stage (i), the Amir would turn to Russia for the construction of stage (iii).

' . . . if we were first in the field and Russia, stimulated by our activity, were to apply for a concession in the North. The valuable cards would then be in our hands, and we could probably make the building programme which the King desired contingent on his refusal of the Russian request. The Russians would be told that Afghanistan did not grant concessions, and that the Kushk-Herat section was not for the moment in the programme.'

Sir F. Humphrys stated his conclusions as follows :—

' Railways in Afghanistan are bound to come sooner or later, especially on the Kandahar side, and the power which initiates them in response to the Afghan Government's request will be presented with a tactical advantage of the first importance. On the other hand, a refusal will be taken by the King to indicate that the progress of Afghanistan is being deliberately discouraged, and he will turn to the rival power for assistance. . . . I suggest that I should receive instructions to attempt, on the next occasion on which the King broaches the subject of railways to me, to discover his programme as fully as possible, and, without giving him either warnings or encouragement, to inform him that I would send a detailed report of his proposals to His Majesty's Government '<sup>1</sup>

**586. Remarks.**—There the written discussions rest for the time being, and it is only necessary to note a few points which emerge from an examination of them :—

- (a) A free survey 'for a railway extension either to Jalalabad or Kandahar' has been accepted by the Government of India as one of the forms in which assistance might be given under the approved policy of the subsidy in kind,<sup>2</sup> but the provision of funds for railway construction, as now contemplated, lies entirely beyond the scope of that policy.
- (b) The principal motive for the present proposal is admittedly to check Russian penetration. The present attitude of the Minister in this connection involves a departure from that adopted in his despatch 56 of December 4, 1923.<sup>3</sup>
- (c) The Government of India, although impressed by the danger of fanatical opposition to the extension of railways into Afghanistan, yet, in view of other considerations, propose an extension to Dakka before one to Kandahar, although the latter area is admittedly less fanatical than the former.<sup>4</sup>
- (d) Sir F. Humphrys has not stated the evidence in support of his estimate of the Amir's programme, and it presumably consists of informal remarks by the Amir and his Ministers. The conversations which have been reported from Kabul however seem to suggest that

<sup>1</sup>Kabul despatch 22 (21-2-1927) (F. 330-F, 18).

<sup>2</sup>Para. 576.

<sup>3</sup>(A. S. XI 40) (see para. 570).

<sup>4</sup>Para. 584.

the Amir's own intention was to construct light railways inside Afghanistan, without, at any rate at first, any connection with foreign systems.<sup>1</sup>

(e) The question whether the objection made by the Afghan Government to the training of Afghan youths for police work in India<sup>2</sup> would not be aroused in a still stronger form by the proposed operation of a railway in Afghanistan by Indian personnel, would require serious consideration. Sir F. Johnston's remarks on the point have already been noticed.<sup>3</sup>

(f) In his despatch 23 of 1925, the Minister had said :—

'The Amir's poverty will, in the absence of undiscovered wealth, always compel him to turn for assistance towards either his Northern or his Southern neighbour';

but it is not quite clear why it should not make him turn towards both, as he has in the past. In answer to the argument that 'the Amir is likely to use an annual dole from us to extract further gifts from the Russians', Sir F. Humphrys remarked 'I have already stated it as my opinion that the Amir is likely to cool off towards Russia, if he receives encouragement from Great Britain'.<sup>4</sup> This statement, however, does not finally demolish the possible view that the Amir may use 'encouragement from Great Britain' to stimulate Russian generosity.

587. (3) Telephones and telegraphs.—Assistance under this head was mentioned by the Afghan delegates at Mussoorie, and has been given. The wireless set taken to Kabul, and used there by Sir H. Dobbs' Mission, was presented to the Afghan Government and a gift made of 460 miles of telegraph material.<sup>5</sup> The latter was intended to connect Kabul with Torkham on one side and with Kandahar on the other. Unfortunately Sir H. Dobbs' letter announcing this gift gave no indication of the purpose for which it was intended, although it had clearly originated from the proposal contained in the Mussoorie *Aide Memoire* 5-B :—'This would be sufficient for the construction of a telegraph system from the British frontier to Kabul and from Kabul to Kandahar.' No explicit stipulation had, however, been made that it should be so used.<sup>6</sup> The Kabul-Torkham line was constructed by an Indian telegraph staff deputed in 1922 for the purpose from India, but the balance of the material was drawn upon by the Amir for the construction of such branch lines as those from Kabul to Dar-ul-Aman, (erected by a British engineer), and from Jalalabad to Laghman. For this reason, and because more material than had been estimated was used on the Kabul-Torkham section, the balance was insufficient for a line from Kabul to Kandahar.<sup>7</sup>

Six Afghans were trained in wireless telegraphy at Karachi in 1921, and 20 more in land telegraphy in 1922-1924.<sup>8</sup>

The cash value of these gifts and concessions was estimated to be :—

	Rs.
Wireless set .. ; .. ..	1,500
Training of Afghan telegraphists .. ; .. ..	12,000
Gift of telegraph material .. ; .. ..	5,00,000
Reduction in charges .. ; .. ..	15,000
 Total .. .. ..	 5,42,000 <sup>9</sup>

The British wireless soon showed signs of breaking down, and by October 1922 it was definitely out of order; communication with Peshawar being 'intermittently maintained by means of the Russian set, which was worked for that purpose by the operators trained in Karachi'.<sup>10</sup>

<sup>1</sup>Para. 581.

<sup>2</sup>Para. 580.

<sup>3</sup>Para. 583.

<sup>4</sup>Kabul despatch 38 (6-6-1925) (A. S. XVIII 102).

<sup>5</sup>Para. 213.

<sup>6</sup>Tel. 352 (21-3-1922), from G. of I. to Min., Kabul (A. S. VII 219) and see tel. 732 (17-2-1922) from S. of S. to Viceroy (*bvd.*, 169) and F. 46-F. 1923

<sup>7</sup>Memo. 204 (14-1-1925), from G. of I. to Min., Kabul (F. 204-F. 1924).

<sup>8</sup>Tel. 1048 (8-8-1922) from G. of I. to Min., Kabul [F. 180-F. 1923 (4)].

<sup>9</sup>A. S. XVIII, Notes. Appx. III.

<sup>10</sup>Diary of M. A. Kabul 30 (10) 1922.

In 1923 the Afghan Foreign Minister informed Sir F. Humphrys that it was proposed to construct a system of telegraph lines radiating from Kabul to Herat (*via* the Hazarajat), Mazar-i-Sharif, and Kandahar, and asked for the loan of the services of a telegraph party for the construction of the first of these lines.<sup>1</sup> A line from Kushk *via* Herat and Kandahar to Kabul had been promised in supplementary clause 2 of the Russo-Afghan Treaty,<sup>2</sup> and the Government of India considered it 'obviously expedient that Afghan Government should employ our personnel to the partial or total exclusion of Russians'.<sup>3</sup> Unfortunately Muhammad Qasim, who had been in charge of the party which had constructed the Kabul-Torkham line, refused to return to Afghanistan.<sup>4</sup> The Afghan Government then said they had decided to employ German personnel,<sup>5</sup> but subsequently entered into negotiations with a representative of Herman Mohatta of Karachi.<sup>6</sup> These however fell through, and the Kabul-Kandahar line was eventually constructed by the Russians, as provided in their Treaty, with an extension to Spin Baldak.<sup>7</sup>

**588. Wireless Installations.**—Negotiations undertaken in 1922 by the Italian Marconi Company, to secure an option for the construction of a high power wireless installation at Kabul, proved abortive.<sup>8</sup>

In August 1925 Ebner, Managing Director of the Deutsch Afghanische Company informed the British Minister that his firm

'acting as agents of the Telefunken Company had tendered for erection at Kabul of wireless station to communicate direct with Europe at cost of about £50,000 for prompt payment. Russians had, he said, offered to install similar station at slightly reduced cost for deferred payment by instalments.'

Ebner asked whether the British Government would consider the possibility of backing the Afghan Government's promise to pay punctually, or of guaranteeing the difference between the German and Russian final quotations. The Minister replied that the suggestion seemed to him fantastic, but suggested to His Majesty's Government that the question of securing the contract for British interests should be considered, if the Telefunken Company dropped out.<sup>9</sup> The Government of India agreed that financial support of a German Company was out of the question, but suggested that British Marconi should be informed of the position.<sup>10</sup> This Company intimated to the British Foreign Office that the Amir had applied to France for assistance in the reorganisation of the Afghan telegraphs, including apparently the wireless system.<sup>11</sup> A discussion of the subject between a representative of the firm and a member of the Afghan Legation in London proved discouraging.<sup>12</sup>

In December 1926 an estimate was received from the Marconi Company for five short-wave wireless stations.<sup>13</sup>

4 stations at Herat, Kandahar, Khanabad, Mazar-i-Sharif, £77,200
--

1 station at Kabul .. .. .. .. £47,000
--

The Minister in his comments remarked that it would not be wise for the Marconi Company to attempt the erection of stations except at Kabul and Kandahar; that the estimates prepared would have to be increased for certain reasons; and that an application for assistance in the matter from the Afghan Government would probably take the form of a request for free gift of stations at Kabul and Kandahar costing not less than £75,000.<sup>14</sup>

In March 1927 the British Representative at Kabul reported that a M. Vimar, representing a syndicate consisting of himself and the Sauvage Brothers, was stated to have signed a contract for the erection of wireless stations at Kabul, Faizabad, Mazar-i-Sharif, and Matun, at an inclusive cost of £32,000.<sup>15</sup>

<sup>1</sup>Kabul tel 56 (7-5-1923) (F 46-F 1922, 1).

<sup>2</sup>Para 718 Appx II

<sup>3</sup>Tel 696 (26-5-1923) from Viceroy to S of S [F 46 (4) F 1922, 6]

<sup>4</sup>Tel. 798 (12-6-1923) from G of I to Min. Kabul (*ibid*, 8)

<sup>5</sup>Kabul tel 114 (19-7-1923) (*ibid* 10).

<sup>6</sup>Kabul tel 162 (4-11-1923) (*ibid* 15).

<sup>7</sup>Kabul tel 11 (29-1-1927) (A S. XXI 48).

<sup>8</sup>F. 352-F 1923.

<sup>9</sup>Kabul tel. 122 (26-8-1925) (A S XVIII 282)

<sup>10</sup>Tel 1178 (21-9-1925) from Viceroy to S. of S (A S XIX, 38).

<sup>11</sup>F. O tel 14 (1-4-1926) (*ibid*, 294)

<sup>12</sup>(A S XX, 179, A)

<sup>13</sup>F. O tel 41 (13-12-1926) (A S XXI, 6), (and see A S XXI, 23).

<sup>14</sup>Kabul tel 4 (11-1-1927) (*ibid*, 34)

<sup>15</sup>Kabul tel. 40 (20-3-1927) (*ibid*, 109).

Shortly afterwards the Afghan Legation in London asked the British Marconi Company for their proposals, while the Afghan Minister in Rome took similar action with the Italian Agent of the firm. The Secretary of State remarked that it did not seem

'necessary to stimulate British competition against *bonâ fide* French or German enterprise. But if French contract falls through Russian offer may revive, possibly in more attractive form. It seems desirable that Marconi Company should communicate their proposals to Afghan Legation, in order to keep open possibility of British enterprise, but there seems little chance of their tender receiving serious consideration, unless Government of India are prepared to assist financially'.<sup>1</sup>

The Government of India remarked that lowness of the French quotation suggested 'second hand or inferior plant', and that British assistance would be justified only

'in the event of a threatened revival of more attractive Russian offer..... we should prefer assisting Afghans to install sound British wireless to presenting them with one outright. Nevertheless, if French negotiations fail, we should be prepared to take some figure approximating to their figure, or a little below it, as our basis, and let the Afghan Government off the rest of Marconi's bill up to a provisional maximum of 7 lakhs'.<sup>2</sup>

The French Minister, who had not been consulted by the Afghan Government in connection with the French contract, thought that 'Vimar may intend to palm off inferior apparatus'.<sup>3</sup>

In May 1927 Marconi forwarded their tender for wireless telegraph stations at Kabul, Jalalabad, Asmar, Matun, Mazar-i-Sharif, Faizabad, Khanabad, Maimana, Herat, Kandahar and Chakansur; the quotations being for material F. O. B., English Port.<sup>4</sup>

Mr. Gould thought that the Company would be well advised:—

'To limit their engagements in the first instance to (1) delivery of actual wireless apparatus at convenient Indian railheads, and (2) technical supervision of erection of apparatus at any or all of stations named, but not of buildings'.<sup>5</sup>

The Company then submitted a revised tender 'amounting to £44,000 on C. I. M basis for delivery of same material at Landi Kotal',<sup>6</sup> but heard nothing definite in reply from the Afghan Legation, and invited assistance from His Majesty's Government on the following basis:—

'(1) Cash subsidy of 20 per cent. prices..... which would amount roughly to £8,000 sterling.

(2) Guarantee of Afghan payments on the basis offered, or with such modifications as, with the agreement of His Majesty's Government and Company, Afghan Government may accept.'<sup>7</sup>

As regards the possibility of an application from the Amir for assistance in the matter, His Majesty's Government had remarked:—

'In view of our desire to see his hold on Northern Provinces consolidated, it does not seem desirable to throw cold water on such a proposal, if made'.<sup>8</sup>

By August, Mr. Gould had received further information regarding the Vimar contract and had heard:—

'That plant had been tested, and would be shipped in August..... Therefore it seems possible that Afghan negotiations with Marconi might be designed simply to assist them in any further bargaining with Vimar. If Vimar's project progresses satisfactorily, I suggest it would be inadvisable to interfere with his prospects.... Should Vimar's scheme collapse, a sum of £8,000 or even more would be well spent on preventing possible Russian competition'.<sup>9</sup>

The Government of India, who had already intimated their readiness to consider the grant of material assistance in this form,<sup>10</sup> concurred generally.<sup>11</sup>

<sup>1</sup>Tel. 1154 (21-4-1927) from S. of S to Viceroy (A. S. XXI, 176).

<sup>2</sup>Tel. 895 (4-5-1927) from Viceroy to S. of S. (*ibid*, 199).

<sup>3</sup>Kabul tel. 67 (8-5-1927) (*ibid*, 208).

<sup>4</sup>(A. S. XXII, 20-A.)

<sup>5</sup>Kabul tel. 87 (27-6-1927) (*ibid*, 17).

<sup>6</sup>F. O. tel. 47 (8-7-1927) (*ibid*, 33).

<sup>7</sup>Tel. 2210 (10-8-1927), from S. of S., to Viceroy (*ibid*, 86).

<sup>8</sup>F. O. tel. 44 (22-6-1927) (*ibid*, 8).

<sup>9</sup>Kabul tel. 139-F. (20-8-1927) (*ibid*, 110-A).

<sup>10</sup>Para. 576.

<sup>11</sup>Tel. 1834 (3-9-1927), from Viceroy, to S. of S. (A. S. XXII, 128).

589. (4) **Factories**<sup>1</sup>.—No move appears to have been made to obtain assistance from His Majesty's Government in this direction until May 1925. Up till then the Afghan Government had either depended on their foreign employees, such as the Germans, for the construction and operation of the cement factory, or on negotiations for contracts with private firms, such as L. Har Chand and D. S. Swami of Delhi, who were invited to Kabul in 1923, in connection with the proposed establishment of a glass factory.<sup>2</sup>

One of the requests made by S. Mahmud Tarzi in May 1925 was for '(4) Free gift of machinery for Kabul cloth, soap, and sugar factories,' and it was explained that the 'machinery formerly installed by Pyne, and other English engineers, was worn out, and State could not, at present, afford replacement'.

This request does not seem to have been pressed, nor did it appeal to the Minister, who remarked 'I do not feel competent to offer an opinion as regards (4) but probably immediate effect would be small.'<sup>3</sup>

590. (5) **Exploitation of mines**.<sup>4</sup>—The information available as to the mineral resources of Afghanistan is meagre. Some notes on its economic geology had been compiled for the Amir Abdur Rahman by Mr. C. L. Griesbach, while attached to the Boundary Commission, and, in 1907, Mr. H. H. Hayden was employed by the Amir Habibullah Khan to examine and report 'on the mines and minerals of Afghanistan.' He submitted his report in February 1908.<sup>5</sup>

These reports hardly justify the extravagant belief which Afghans habitually display in the mineral wealth of their country.

A word of warning on the subject by Mr. Dobbs at Mussoorie was met by the Nazir of Commerce with the remark 'We have many obviously good mines, e.g., the ruby mines at Jagdallak.'<sup>6</sup> There is evidence to show that Afghan representatives in Europe depicted Afghanistan as a sort of Eldorado, hitherto reserved by the British for their own exploitation, and it was perhaps some idea of this kind which prompted the despatch of the Italian commercial mission, which accompanied their Minister to Kabul in June 1922.

The mission included S. Ferrari a mineralogist<sup>7</sup> who 'traversed the route Charikar-Ghorband Valley, Bamian-Saighan-Kamard-Tala to Khanabad, and returned to Kabul via Chahil-Narin-Yaram, the Andarab valley, the Khawak Pass and Jabl-us-Siraj.' Only known mines and deposits were visited, and it was recommended that a systematic geological survey should be carried out.

The following minerals were found :—

**Coal**.—At Ishpishta, on the left bank of the Surkhab river, and at Narin, 50 miles south of Kunduz, the deposit in both cases being estimated at some hundreds of thousands of tons. In neither case is it considered that the coal could be landed in Kabul at a profitable price.

**Sulphur**.—Many traces were found. The principal deposit now being worked is at Dasht-i-Safed in the Kamard Valley.

**Salt**.—The mines at Chal (? Chahil) (30 to 40 miles south of Kunduz) produce salt of good quality which is transported to Kabul.

**Copper**.—At Khaneh Khomar, near Maidan, 24 miles south-west of Kabul, where the deposit is abundant and of good quality, and at Chehil Sitan 5 miles south of Kabul.

**Lead**.<sup>8</sup>—At Farinjal and Lolanj in the Ghorband Valley. At the former place the mines are now being worked, and the yield could be considerably increased by efficient methods of mining.

**Silver**.—In small quantities in an old mine in the Panjshir Valley, 7 miles from Khawak Fort.

**Iron**.—Of poor quality in the Panjshir Valley, and at Jabl-us-Siraj. At the latter place the field appears to extend for 60 miles, and may contain iron of better quality than that found.

<sup>1</sup>Mentioned in the Mussoorie *aide memoire* para. 99.

<sup>2</sup>F 556, F 1923

<sup>3</sup>Kabul tel 60 (13-5-1925) (A. S. XVIII, 54).

<sup>4</sup>Mentioned in the Mussoorie *aide memoire* para 99.

<sup>5</sup>Progs., May 1908, 196

<sup>6</sup>Progs. of 14th meeting

<sup>7</sup>Para 272

<sup>8</sup>For a detailed note on the Farinjal lead by the Director of the Geological Survey of India, see A. S. XX, n p. 20.

No traces of petrol were seen.

S. Ferrari's report generally gives the impression that he does not consider that Afghanistan is likely to benefit to any great extent from her mineral wealth, and that in most cases the difficulty of communications will prove an effective bar to the profitable exploitation of her mines, even for internal use.<sup>1</sup>

The 'Aman-i-Afghan' of December 11, 1923 claimed that the mineral wealth of Afghanistan was considerable, and that it was only due to the false and interested advice of English mining experts, who had unfortunately been the only ones hitherto available for consultation, that large profits had not yet accrued to the Afghan people. These English experts had produced 'nothing but discouraging reports which we do not even wish to read'. S. Ferrari was reported to have expressed wistful regrets that he could not personally share in the profits which Afghanistan would make from her mines.<sup>2</sup> He however left Afghanistan for good, and no action appears to have been taken on his report.

In 1924 one Abdul Wahid, a Shinwari by birth who had been naturalised as a British subject and then resumed Afghan nationality, obtained a concession for working the ruby mines at Jagdallak, and the gold mine at Kandahar. He was backed by a British company formed for the purpose known as the 'Durani Syndicate'. Abdul Wahid stated that he had received a favourable report on the samples of gold ore which he had sent from Kandahar for assay;<sup>3</sup> but the Afghan Government were suspicious of Abdul Wahid's nationality, and the British element in the Syndicate, as indicating foreign exploitation,<sup>4</sup> and in June 1925 it was announced that the concession had lapsed.<sup>5</sup>

In April 1924 the Afghan Foreign Minister, in discussing the prospects of a new Treaty with Sir F. Humphrys, remarked—

'That there was great need of assistance to Afghanistan for development of her internal resources. For instance her mines had not been touched, and he thought it unlikely, without the co-operation of Englishmen, that they would ever be successfully worked.'

Sir F. Humphrys pointed out the necessity of improving communications in Afghanistan as a preliminary to the development of her mineral resources.<sup>6</sup>

In 1925 M. J de Gunzburg, a French banker, was approached by S. Nadir Khan, the Afghan Minister in Paris, with a view to the formation of a French Syndicate 'for the exploitation of mines, railway, etc., in Afghanistan.'<sup>7</sup>

Sir F. Humphrys' comments were :—

'As regards mines.—Expert examination has established that, until communications are greatly improved, working of any mines except gold, and perhaps silver and mica, is unlikely to be profitable. Unsatisfactory state of Afghan contract law should also be borne in mind. As regards British participation, I am so doubtful of financial success of syndicate that I can hardly recommend risking of British capital.'<sup>8</sup>

In December 1925 the Director of the Deutsch Afghanische Company informed Sir F. Humphrys that the Afghan Government were very suspicious of granting concessions to foreigners, even to prospect for minerals in the country, and considered themselves entitled to appropriate 99 per cent. of any profits earned by foreigners.<sup>9</sup>

**591. Oil.**—In February 1926 the Minister reported that the Afghan Government had approached one Dr. Herboldt, who before the war had spent six years in the Dutch East Indies as a geologist of the Shell Company, to draw up a scheme for the extraction of oil near Tirpul, 50 miles W. N. W. of Herat. Dr. Herboldt had already prospected at this place, and framed a favourable opinion. There was however some difficulty as to his salary.<sup>10</sup> The locality was perhaps the same as that which W. B. Vanderlip left Kabul to examine in 1922.<sup>11</sup>

In June 1926 the representative of the Anglo-Persian Oil Company in Tehran was approached by the Afghan Minister there, who suggested the grant of a concession to the Company covering petroliferous areas in Afghanistan.

<sup>1</sup>Diary of M. A. Kabul 1, 1923 (4) and see Kabul despatch 1 (5-1-1923).

<sup>2</sup>Diary of M. A. Kabul 2, 1923 (4).

<sup>3</sup>Kabul despatch 48 (7-4-1924) (A. S. XIV, 77).

<sup>4</sup>Kabul tel. 344 (12-10-1924) (F. 175, F. 1924, 39).

<sup>5</sup>Diary of M. A. Kabul 1925, 2I (5).

<sup>6</sup>Kabul tel. 86 (14-4-1924) (A. S. XIV, 67-A.).

<sup>7</sup>(A. S. XIX, 168).

<sup>8</sup>Kabul Ex. letter 188 (6-2-1926) (*ibid*, 215).

<sup>9</sup>Kabul despatch 104 (14-12-1925) (*ibid*, 145).

<sup>10</sup>Kabul tel. 25 (11-2-1926) (*ibid*, 219).

<sup>11</sup>Para. 276.

' Oil shows are reported to exist near Kabul and in the vicinity of Ghazni [Holland Records Geological Survey of India, XXIV (2), page 96] and more recent investigations by German and Swiss geologists are reported to have disclosed the existence of important indications of oil some 45 miles west of Herat, in the vicinity of the Persian frontier. This last named area, which lies within 100 miles of the Soviet railhead may reasonably be regarded as within the economic sphere of that Government. In any case the great distance from any possible market or line of communication other than through Soviet territory makes it entirely unattractive from a commercial point of view, unless in the near future it may be the subject of amicable contact with Russia.'

The Ghazni-Kabul area however offered more favourable prospects, and the Company enquired the views of His Majesty's Government in the matter.<sup>1</sup>

The views of Mr. Gould on the proposal were given in despatch 42-A of April 6, 1927, and were briefly that

'the Company should not assume the rôle of a suppliant for Afghan favours, that it should not commit itself in any way until the invitation of the Afghan Government is conveyed authoritatively, and that full examination of the local conditions should precede any kind of commitment. Subject to these conditions I recommend that the Company should be prepared to express their readiness to depute a representative to Kabul.'<sup>2</sup>

The Government of India doubted the seriousness of the proposals made by the Afghan Minister in Tehran, and considered that the Company should negotiate direct with the Afghan Government, without intervention by the British Legation. They agreed that it would be to the advantage of India if oil could be struck in Afghanistan and exploited by non-Russian agency.<sup>3</sup>

In August 1927 the Company intimated that they had 'decided not to take any steps at present to investigate the question of a concession in Afghanistan.'<sup>4</sup>

592. (6) Facilities in Trade concessions.<sup>5</sup>—These were accorded by the Kabul Treaty of 1921 (Articles VI, VII, VIII, IX), and under the Trade Convention concluded in accordance with Article XII. In addition there was the concession of duty free export of goods from India to Afghanistan for two years the cash value of which was estimated to amount to 20 lakhs rupees.<sup>6</sup> There were however some points in the procedure prescribed by the Treaty which Afghan traders found irksome in practice,<sup>7</sup> and further concessions requested were:—

- (1) A refund to be granted of the excise duty levied in India on articles such as kerosine and salt. The Minister declined to make any definite statement but said that the request seemed *prima facie* not unreasonable, provided that the general attitude of the Afghan Government gave no cause for complaint.<sup>8</sup>
- (2) A payment of import duty should not be required at the ports, and a security bond should be accepted in its place. The Minister pointed out that, during the negotiations connected with the Trade Convention, this point had been under discussion between the delegates for about six months, and could not be settled by a stroke of the pen, but required discussion by experts.
- (3) The location of the Afghan trade agent at Chaman instead of Quetta, of additional trade agents in Baluchistan, and modifications of invoice 'B' attached to the Trade Convention. Similar replies were given on these points.

'Afghanistan must act in such a way as to deserve these concessions, and the more she threw herself into the arms of Russia, the less likelihood there was that she would obtain any favours outside the Treaty from the British Government.'<sup>9</sup>

The subject was mentioned by the Amir to the Minister at an interview on September 7, 1926.<sup>10</sup>

<sup>1</sup>Letter from A P O C to U S of S F A (N. 326. 326 97, 24-1-1927) (A. S. XXI 86).

<sup>2</sup>(A. S. XXI 244)

<sup>3</sup>Tel 1359 (28-6-1927) from Viceroy to S of S (A. S. XXII 15).

<sup>4</sup>Letter 50 F R G (6-8-1927) from A. P. O. C. to U S of S F. A. (*ibid.*, 121).

<sup>5</sup>Discussed by the delegates at Mussoorie, para. 97.

<sup>6</sup>A. S. XVII notes Appx. III

<sup>7</sup>Kabul tel. 104 (14-8-1926) (A. S. XX 162).

<sup>8</sup>See para. 649

<sup>9</sup>Kabul memo 475-4 (4-9-1926) (A. S. XX 187 A).

<sup>10</sup>Kabul despatch 87 (14-9-1926) (*ibid.* 213).

593. (7) Technical advice regarding irrigation.<sup>1</sup>—No application specifically referring to irrigation seems to have been made by the Afghan Government.

Two irrigation engineers Messrs. McKenna, an Englishman, and Lahiri, a Bengali, were engaged by the Afghan Government direct from India in 1923, but were reported to be corrupt and inefficient.

In 1923 Sir John Benton, late Inspector General of Irrigation in India, was stated to be preparing proposals to be laid before the Amir 'for the advancement of irrigation in the Seistan province'. He was allowed access to the reports of the Perso-Afghan Arbitration Commission of 1902-5, but it is not recorded whether he actually communicated any proposals to the Afghan Government.

594. (8) The manufacture and supply of specially prepared paper for the printing of Afghan currency notes, and (if necessary) provision of special machines for note printing.<sup>2</sup>—No applications for assistance were received in this connection, and in February 1927, it was reported that 'notes of excellent quality have been printed in Kabul for circulation'.<sup>3</sup>

The presses used for this purpose had been imported from Germany.<sup>4</sup>

595. (9) Technical advice regarding the establishment of an Afghan Government or Commercial Bank, and regarding possibilities of improving the system of commercial credit in Afghanistan.<sup>5</sup>—The Chief Commissioner, N. W. F. P., had pointed out in 1920 that the establishment at Kabul of a bank, with British staff and Government guarantee, might form 'a valuable political and commercial asset.'

In 1922 Macarian, a subdirector of the Banco di Roma, visited Kabul as a member of the Italian commercial mission, but apparently formed an unfavourable opinion as to the prospects of business, since he left after a short stay, and nothing was heard of any proposals made by his principals.<sup>6</sup>

In August 1925 Sir F. Humphrys was informed that the Soviet Legation was negotiating with the Amir for a concession for opening a branch of the Russian State Bank in Kabul, but that a demand for extraterritoriality of the Bank had caused a hitch in the negotiations,<sup>7</sup> and in December he reported that M. Stark was 'conducting with Afghan traders the business of an Exchange Bank through a member of the Soviet Legation Staff'.<sup>8</sup> In regard to the project of a joint Anglo-French syndicate to be floated by M. de Gunzburg for the establishment of a State Bank and the exploitation of mines and railways in Afghanistan,<sup>9</sup> Sir F. Humphrys remarked :—

'There is undoubtedly a widely felt want for a more satisfactory means of making payments in India and Europe than exists at present. Bank's legitimate function would be purely exchange business. As Afghan Government has no assets such as Customs or raw products to hypothecate for loans, Bank could not be expected to finance the Government in extensive undertakings'.<sup>10</sup>

In April 1926 he reported that he had been approached

'unofficially with a suggestion that the Imperial Bank of India might allow the Afghan Government to make considerable overdrafts without security', and that at the same time.

'tentative proposal had been put forward by the Chartered Bank of India, Australia, and China, to open an agency in Peshawar for the financing of trade with Afghanistan'.

<sup>1</sup>Mentioned in the Mussoorie *aide memoire*, para. 99.

<sup>2</sup>(F. 485-F. 1923).

<sup>3</sup>Mentioned in the Mussoorie *aide memoire*, para. 99.

<sup>4</sup>Kabul tel. (17-2-1927) (A. S. XXI 70).

<sup>5</sup>Kabul despatch 65 (16-7-1927).

<sup>6</sup>Mentioned in the Mussoorie *aide memoire*, para. 99.

<sup>7</sup>Tel. 135 (10-7-1920) from N. W. F., to G. of I (Progs. Jan. 1921, 82).

<sup>8</sup>Para. 272.

<sup>9</sup>Kabul tel. 120 (25-8-1925) (A. S. XVIII, 276).

<sup>10</sup>Kabul despatch 104 (14-12-1925) (A. S. XIX 145).

<sup>11</sup>Para. 310.

<sup>12</sup>Kabul Ex. letter 188-1 (6-2-1926) (A. S. XIX 215).

The Minister added:—

‘ While it is undoubtedly preferable that Afghanistan should look to India rather than to Russia as its natural outlet for trade, the uncertain state of the country’s finances is likely to prejudice it, for some time to come, in business dealings with foreigners ’<sup>1</sup>

In July the Minister, who had been warned that the Soviet Legation ‘ might make strenuous endeavours to establish a Russian bank in Kabul, with the object of inflicting damage on British Indian trade, and British political interests generally ’, suggested that a representative of the Chartered Bank should be sent to Kabul to make local enquiries, especially in regard to exchange banking.<sup>2</sup>

On September 7 the Amir denied the report that a Russian bank was about to be established.<sup>3</sup>

On February 7, 1927 the Assistant Minister of Finance informed Sir F. Humphrys:—

‘ Afghan Government have definitely rejected proposal for Russian Bank in Kabul, through fear of causing annoyance to British Government. The intention is, however, to open an Afghan National Bank with headquarters at Kabul in charge of a German, and, if possible, branches at Peshawar and Quetta, after Nauroz, and notes of excellent quality have been printed in Kabul for circulation. Bank will receive deposits, grant loans on interest, and transact exchange business. Interest will not be received or paid in cash but by means of stamps issued on authority of Bank, thereby getting round prejudice of orthodox Mohammedans. He states that scheme has concurrence of Mullahs ’<sup>4</sup>

Certain other forms of material assistance are mentioned in the official correspondence, and the Government of India, in their telegram of October 22, 1925, indicated those to which they were prepared to give practical consideration.<sup>5</sup> The only forms actually discussed however, apart from arms and aeroplanes, which have been previously noticed, are included under the headings already specified.

<sup>1</sup>Kabul despatch 29 (15-4-1926) (A S XX 6).

<sup>2</sup>Kabul tel 97 (29-7-1926) (*ibid*, 137)

<sup>3</sup>Kabul despatch 87 (14-9-1926) (*ibid*, 213).

<sup>4</sup>Kabul tel 17 (7-2-1927) (A S XXI 70).

<sup>5</sup>Para. 576.

## CHAPTER XXXI.

### QUESTIONS REGARDING NATIONALITY.

596. **The Amir's attitude.**—It was natural that the Amir, who came to the throne as the champion of the nationalist movement, should place in the forefront of his legislative programme measures designed to bring home to his subjects the reality of Afghan nationality.

597. **Passports.**—Rough regulations were published in the 'Aman-i-Afghan' of April 20, 1922,<sup>1</sup> and the sudden introduction of Afghan passports led to considerable inconvenience, particularly as Afghan consular officers were not authorised to grant visas without previous reference to the Kabul Foreign Office.<sup>2</sup>

It was then proposed to introduce passport regulations on reciprocal lines to govern entry into India from Afghanistan, and Sir F. Humphrys made suggestions for the working of such a system.<sup>3</sup> He called attention to the ease with which, under the existing system, undesirables, such as Sher Muhammad Boi or Lieut. Moysey, could cross the line at Torkham in either direction without permission.<sup>4</sup>

By November 1923 the Afghan Government had revised the rough rules published eighteen months before, and a translation of the new rules entitled 'The Code relating to Certificates of Identity, the Principles of Passports, and the Law of Nationality', was forwarded to the Government of India.<sup>5</sup>

These Rules may be briefly summarised:—

Chapter I, containing 8 rules, deals with 'certificates of identity', the possession of which is stated to be obligatory for all Afghan subjects both in Afghanistan and abroad, in order to establish their 'nationality as subjects of the Afghan Government'. Without such a certificate an Afghan national is stated to be under certain disabilities, and disqualified for the receipt of a passport.

Chapter II containing 50 rules, give the 'principles of passports'. Passports are prepared from the certificates of identity, and several classes are distinguished:—

- (1) For travellers, merchants, and rich people (Fee Rs. 20).
- (2) For students and the general public, with the exception of frontier villagers (Fee Rs. 2).
- (3) Frontier village passports (Fee Re. 1) for villagers living within 20 miles of the border.
- (4) Special passports for carriers, nomads, *hajis*, and students. (Fee Rs. 2).

Rule 67 makes an exit visa obligatory for leaving the country.

Chapter III, containing 15 rules, deals with Afghan Nationality and Naturalisation.

Certain of these, which have been frequently discussed in official correspondence, may be quoted:—

'84. Any one whose parents are Afghan subjects, or whose father is an Afghan subject, whether born in Afghanistan or abroad, is recognised as an Afghan subject, and is bound to obtain a certificate of Afghan nationality

\* \* \* \* \*

86. Applications of foreign subjects who desire to become Afghan subjects will be accepted provided that —

- (1) they have attained the age of puberty;
- (2) they have resided for four years continuously in Afghanistan;
- (3) they have not committed a crime while possessing their previous nationality, and are not in debt

<sup>1</sup>(F 768-G., 4)

<sup>2</sup>Letter (11-12-1922), from Af C. G., to G. of I (*ibid* 21).

<sup>3</sup>Kabul memo 27 (24-7-1923), (*ibid* 34).

<sup>4</sup>Kabul memo 343, (23-10-1923), (*ibid* 37). Such cases continued to occur, e.g., Sheikh Abdulla b. para. 503).

<sup>5</sup>Kabul memo 351 (5-11-1923), (F-768-G., 38).

87. If considered advisable by the Afghan Government, the application of foreign subjects, who desire to become Afghan subjects before the fulfilment of the above conditions, can be accepted.

\* \* \* \* \*

91. If an Afghan subject who is in a foreign country desires to change his nationality, he is bound to obtain His Majesty's personal permission.

\* \* \* \* \*

94 Any foreign subject who has been residing in Afghanistan for five years, has been treated during this period as an Afghan subject, has been recognised as such, and derived benefit from his property, should, within a period of two months, obtain a certificate of nationality. Otherwise he must, within one year of the date on which this Code comes into force, sell his immovable property, and, if he intends to remain in Afghanistan, should obtain a certificate of nationality from the Minister of his own Government. Otherwise he should leave the country

95. Any one who has come to Afghanistan from abroad, during his stay in Afghanistan has concealed his original nationality, has been treated as an Afghan subject, and has purchased property in Afghanistan (a right to which only an Afghan subject is entitled), will be regarded as an Afghan subject, and no claim on his part to foreign nationality will be considered'

' In the meantime . . . .the principle that the introduction of such rules called for a consideration of reciprocal measures had been accepted by the Government of India, approved by His Majesty's Government, and embodied in a communiqué which issued from Simla in May 1923. Upon the final publication of the Afghan passport regulations Sir F. Humphrys at the instance of the Government of India notified the Afghan Government of the proposed introduction of a reciprocal system.'<sup>1</sup>

In June 1924 however the Government of India informed the Frontier Administrations that :—

' it has been decided to drop the proposal for the introduction of Passport Rules for persons entering British India from Afghanistan for the present, in view of the serious administrative difficulties that would beset it in practice.'<sup>2</sup>

A Kabul despatch of July 1924 stated the system then followed in practice by the British Legation.<sup>3</sup> This system was accepted by the Government of India as sufficient.<sup>4</sup>

The subject was again raised by Sir F. Humphrys in January 1925, who pointed out forcibly the disadvantages involved in the lack of effective control over persons entering India from Afghanistan.<sup>5</sup>

The question of introducing such control was then, with the approval of His Majesty's Government, taken up in earnest. Control was eventually established in the Khyber and at Chaman, and the Afghan Government notified accordingly.<sup>6</sup> Local exemptions were made in favour of:—

- (a) nomads who habitually winter in India.
- (b) Frontier villagers.<sup>7</sup>
- (c) Baluch tribesmen.
- (d) British subjects, and Hazaras in possession of *rahdaris* issued by the Vice-Consul Duzdap, or by the Agent to the Governor General Baluchistan.<sup>8</sup>

In practice the requirements of the Afghan Government in regard to passports are very burdensome to their nationals. As has been seen, the Afghan has to take out first a 'certificate of identity', and, then in order to travel, a passport. The former contains the information required, not only for the grant of a passport, but also for purposes of conscription.

In theory it is obtainable for a fee of eight annas ; but as the penalty for non-possession is a fine of Rs. 350, its preparation and supply afford obvious openings for peculation on the part of Afghan officials.

<sup>1</sup>Kabul despatch 89 (15-7-1924)

<sup>2</sup>Memo 768-G. (25-6-1924), from G of I., to N. W. F and Baln (F.-768-G., 65).

<sup>3</sup>Kabul despatch 89 (18-7-1924), (*ibid*, 67)

<sup>4</sup>Tel 1382 (7-9-1924), from Viceroy, to S. of S (*ibid* 72).

<sup>5</sup>Kabul letter 156-1 (29-1-1925), (*ibid* 77)

<sup>6</sup>Kabul tel 156-9 (12-6-1925), (F 768-G., II, 35).

<sup>7</sup>Memo 768 (2)-G (15-3-1926), from G of I., to N.-W F. and Baln. (*ibid* 81).

<sup>8</sup>Memo 678 (2)-G (29-9-1926), from G of I. to Baln. (*ibid* 87).

<sup>9</sup>"Tazkara-i-nafus."

In the case of recalcitrant Zamindawaris omission to take out the certificate within a specified period was reported in 1923 to have been made punishable with death.<sup>1</sup>

The requirement of an 'exit' visa<sup>2</sup> is also exploited in their own interests by Afghan officials both at the capital and on the Frontier, and the plea that he has not received authority from Kabul to grant the visa, enables an Afghan Consular officer to cause aliens a great deal of inconvenience and delay.

In some instances it seems certain that such an attitude has been adopted under orders of the Afghan Government itself.<sup>3</sup>

Irregularities in the procedure of the Afghan passport officials such as

(1) the issue of an Afghan passport to a British Indian subject (Mr. Herman's servant),<sup>4</sup>

(2) the grant of a visa by the Afghan Trade Agent Peshawar,<sup>5</sup>  
are not uncommon.

The inconveniences caused to the subjects of both Governments by the introduction of the passport system were noticed by Sir F. Humphrys in a despatch of December 1925.<sup>6</sup>

In December 1926 Mr. Gould was instructed to make a protest against the requirements of the Afghan Government in respect of 'exit visas', and to convey a hint as to the possibility of retaliatory action, if British wishes were not met in the matter.<sup>7</sup>

The Afghan Foreign Minister when addressed on the subject merely stated that exit visas were granted free to British subjects, and asked that further discussion of the subject might be deferred for six months. Mr. Gould agreed to this.<sup>8</sup>

In August he was asked to ascertain—

'whether His Majesty's Government would agree to a world-wide agreement, according to which no charge would be made for the grant of British visas on Afghan passports and passes. Afghan Government would be glad to reciprocate.'<sup>9</sup>

The Government of India supported the proposal.<sup>10</sup> His Majesty's Government drew attention to the possibility that the Afghan request might be preliminary to another, for the abolition of visa requirements as well as visa charges.<sup>11</sup> Mr. Gould reported that there was no idea of abolishing visa requirements at present.<sup>12</sup> This being so, the suggestion does not appear to mark any great advance in the attitude of the Afghan Government, since the present inconvenience is due to the delay incident to the grant of the visas, rather than to the charges made for them.<sup>13</sup>

**598. Afghan Naturalisation.**—In June 1922 a question arose as to the real nationality of an Indian Muhamjir, Muhammad s/o Nawab Khan, who, on being arrested in Meshed for desertion, claimed to be an Afghan subject by naturalisation. In this case it was noted that, under the British Nationality and Status of Aliens Act 1914, it was open to British Indian subjects not being under disability (*i.e.*, not being married women, minors, lunatics, or idiots) to be naturalised in Afghanistan, by obtaining a certificate of naturalisation or by any other formal or voluntary act. If the person claiming to have been naturalised was formerly a 'native Indian subject', the burden would be on him to prove that he had ceased to be such.<sup>14</sup> If he could produce a *prima facie* valid certificate of naturalisation as an Afghan subject, it was held that this naturalisation would have to be recognised.<sup>15</sup>

<sup>1</sup>Diary M. A. Kabul, 1923, 42 (8).

<sup>2</sup>See Rule 67 of the Passport rules (above).

<sup>3</sup>See Kabul memo. 156 (13-6-1925), (F. 768-G II, 38).

<sup>4</sup>Memo. 2188 (24-7-1923), from G. of I. to Min., Kabul (F. 768-G, 1925, 33).

<sup>5</sup>(*Ibid.*)

<sup>6</sup>No. 104 (14-12-1925), (A. S. XIX, 145).

<sup>7</sup>F. O. despatch 46 (11-12-1926), (F. 768-G. II, 104)

<sup>8</sup>Kabul despatch 37 (29-3-1927), (*ibid* 107).

<sup>9</sup>Kabul tel. 103 (15-8-1927), (A. S. XXII, 107).

<sup>10</sup>Tel. 1754 (19-8-1927), from Viceroy, to S. of S. (*ibid* 108).

<sup>11</sup>F. O. tel. 54 (6-9-1927), (*ibid* 130).

<sup>12</sup>Kabul tel. 107 (8-9-1927), (*ibid* 131).

<sup>13</sup>Kabul despatch 37 (29-3-1927), (F. 768-G II, 107).

<sup>14</sup>Note in the Leg. Dept. (28-4-1922), (F. 222-F, 1922, n. p. 4).

<sup>15</sup>Letter 638 (2-6-1922), from G. of I., to Min., Tehran (*ibid* 12).

The Afghan Foreign Minister was then asked what the requirements of his Government were in regard to naturalisation, and, after inspection of the British Act and a delay of eighteen months, published formal rules on the subject.

**599. Nationality of Afghan colonists.**—In October 1923, Mr. Pears, then Resident in Waziristan, reported a rumour that the Afghan Government were about to resume the land granted to the Abdur Rahman Khels in Logar, etc.

‘ It is advisable that we should know exactly how we stand *vis à vis* the Afghan Government with regard to these colonies.’<sup>1</sup>

In January 1924 the Government of India addressed the Minister at Kabul :—

‘ The point raised regarding the nationality of Mahsuds now permanently residing on the Afghan side of the Durand Line is one of considerable interest and importance. You will recollect that . . . under the British Nationality and Status of Aliens Act, 1914, a British subject whether a ‘ native Indian subject ’ or not, when in any foreign country and not under disability . . . can divest himself of his British nationality, and be naturalised in another nationality by obtaining a certificate of naturalisation or by other formal and voluntary act . . . There is no suggestion however that the Mahsuds now in question have obtained certificates of naturalisation, or performed any act of a formal nature to change their nationality.’<sup>2</sup>

At the same time the Waziristan Commander telegraphed :—

‘ That we should use present occasion to extract from Afghan Government definite declaration whether they claim Wazir and Mahsud colonists of Afghanistan as Afghan subjects or not, is of vital importance. Present indications are that Afghans will try to allege British nationality of Wazirs, whether in Birmal or other Afghan colonies. Yet we know that Urghun officials were taking petitions for Afghan nationalisation from hostile Wazirs up to September last, and were announcing that petitions were accepted, and hostiles were now Afghan subjects with full rights, even when in British territory, to Afghan protection.’<sup>3</sup>

Sir F. Humphrys discussed the matter with the Afghan Foreign Minister, whose reply on the point was :—

‘ Mahsud and Wazir colonists, who had emigrated to Afghanistan as *Muhajirin* and had been granted land, were considered by Afghan Government to have become Afghan subjects (please refer to Rule 95 of Afghan Nationality Rules . . . ).’

Sir F. Humphrys added :—

‘ It is not at present clear to me what practical importance attaches to question raised in . . . Wazirforce telegram, since, whatever answer may be, responsibility of Afghan Government for any offence committed by these colonists in British territory from Afghanistan remains the same. Nor could these colonists while in British territory claim extraterritorial rights.’<sup>4</sup>

While expressing his readiness to pursue these enquiries with the Afghan Government, he pointed out the danger of thereby causing that Government to make the colonists change their nationality by the completion of some formal act.<sup>5</sup>

The Agent to the Governor General, Baluchistan, remarked that—

‘ To accept the principle that any British subject by taking up a temporary domicile in Afghanistan should be regarded as an Afghan subject would, in my opinion, give rise to innumerable difficulties and unreasonable claims of interference by the Afghan Government, both in the case of frontier tribesmen, and in the case of malcontents like S. Bakhtiar Khan Rustomzai.’<sup>6</sup>

Mr. Pears then pointed out the importance of ascertaining the nationality of these colonists :—

- (1) if the colonists were not Afghan nationals, they might still be included in a settlement made by the British authorities with their tribe,
- (2) if they were Afghan nationals, they could not be so included, and the rest of the tribe could only be held territorially not tribally responsible for offences committed by them.

<sup>1</sup>Memo. 1410 (14-10-1923) from Res. Waz. to Wazforce (F. 22-F 1924, 3).

<sup>2</sup>Memo. 561-F (2-1-1924) from G. of I. to Mr. Kabul (*ibid* 14).

<sup>3</sup>Tel. 15942-G (6-1-1924) from Waz. to G. of I. (*ibid* 15).

<sup>4</sup>Kabul tel. 8 (8-1-1924) (*ibid* 18).

<sup>5</sup>Kabul memo. 11 (12-1-1924) (*ibid* 22).

<sup>6</sup>Memo. 20 (7-1-1924) from Baln. to G. of I. (*ibid* 27).

Local Afghan officials had apparently promised these colonists *rahdaris* as Afghan subjects, which would allow them to visit the British side of the line and afford them immunity when there. No such extra-territoriality could of course be admitted.

Mr. Pears in the course of these discussions remarked :—

' Any situation which permits the Wana Wazirs on our side of the line to be split up into two distinct bodies of British and Afghan subjects respectively will be intolerable '<sup>1</sup>

The Chief Commissioner, N. W. F. P., was—

' strongly of opinion that we should not take any steps which will involve recognising Afghan nationality of Mahsud and Wazir Muhajirin.'<sup>2</sup>

A proposal was made in connection with the Finnis case that a Joint Commission should be held on the Indo-Afghan border to enquire into the Khassadari system and its implications. This Commission would also 'enquire into and determine status of each colony, since circumstances of various colonists differ very widely.'<sup>3</sup>

The Government of India were—

' not yet assured that it is to their interest to take up the question forthwith, as they are afraid of being committed to recognition of the Afghan status of the colonists whose sojourn in Afghanistan may be only temporary ',

but asked Sir F. Humphrys to discuss certain points with the Afghan Foreign Minister.<sup>4</sup> The verbal replies made by the latter were :—

- (1) The necessary condition for obtaining Afghan nationality in ordinary cases is four years' residence in Afghanistan. After this period a man may become a naturalised Afghan, whether he owns property or not.
- (2) Ordinarily persons who have resided in Afghanistan for less than four years are not granted Afghan nationality, but in the case of *muhajirin*, who have definitely cut adrift, from their own country and wish to become Afghan subjects, Afghan nationality is granted at any time after they have been granted land.
- (3) At present no formalities are required for a naturalised Afghan subject to divest himself of Afghan nationality, but rules would be framed and brought into force during the course of the next year or two. In the case of Baramat, the land which had been granted him as a *muhajir* was confiscated when he left Khost, and this fact constituted the loss of his Afghan nationality.<sup>5</sup>

The Amir had already said that no one charged with a heinous offence was admitted to Afghanistan as a *muhajir*, and indicated that he did not regard as heinous offenders tribesmen who had fought against us for their independence.<sup>6</sup>

Baramat was a Khojal Khel *muhajir* who had been granted land in Afghanistan, and was subsequently arrested raiding in the Kohat District. The point was called to the attention of the Foreign Minister, who wrote—

' Baramat, Khojal Khel, who with the other emigrants was given land, absconded from Khost to foreign territory before the commission of the offence in question, and the land which had been given him has accordingly been confiscated . . . . Your Excellency ! If the persons mentioned commit offences while residing outside Afghanistan, and are arrested, the Afghan Government is not responsible for them '<sup>7</sup>

The case is frequently quoted as a leading one, showing the haphazard nature of Afghan naturalisation, and the ease with which the Afghan Government evades responsibility for misbehaviour on the part of these colonists.

The Government of India finally agreed with Sir F. Humphrys and Sir N. Bolton,—

' that it would be most unwise to make any move which might have the effect of officially and permanently splitting up Mahsuds and Wazirs between Afghanistan and us, and we agree that our aim should be to get the colonists to return '<sup>8</sup>

<sup>1</sup>Memo. 85 (16-1-1924) from Res. Waz. to Wazforce (F. 22-F, 1924, 28).

<sup>2</sup>Tel 58 (30-1-1924) from N. W. F. to G. of I. (*ibid* 35).

<sup>3</sup>For the practical drawbacks and advantages involved in pushing the question to a conclusion see minute by Offg. For. Secy. (16-1-1924) 9 (u) (A S. XII, n. p. 10).

<sup>4</sup>Tel. 281 (2-2-1924) from Viceroy to S. of S. (F. 22-F. 37).

<sup>5</sup>Letter 22 (15-2-1924) from G. of I. to Min. Kabul (*ibid* 45).

<sup>6</sup>Kabul memo. 151 (8-4-1924) (*ibid* 56).

<sup>7</sup>Para. 520.

<sup>8</sup>Letter 3356 (23-11-1923) from Af. For. Min. to Min. Kabul (A S. X, 37).

<sup>9</sup>Tel. 811 (23-4-1924) from Viceroy to S. of S. (F. 22-F. 59).

A little later the Chief Commissioner, N. W. F. P., in connection with the overtures from the Nekzan hostiles remarked:—

' No reference was then made to change of nationality, and it would be a mistake I think to permit question of nationality to be raised by hostile Mahsuds now, or to raise it with them ourselves. We can ignore Afghan naturalisation rules in dealing with them, and should make it clear that we regard them as our subjects.'<sup>1</sup>

In July 1924 the Government of India wrote :—

' Under the Durand Agreement the tribes living in Waziristan were severed, like all other tribes on this side of the Durand Line, from Afghanistan once and for all, and the tribes know it. If therefore any section, in an endeavour to play off the Afghan and British Governments the one against the other, attempts to pose as being of Afghan nationality, its professions should be promptly scouted with ridicule, and characterised and dismissed as preposterous '<sup>2</sup>

The proposed enquiry into the nationality of the colonists was accordingly dropped.

**600. Particular cases of naturalisation.**—Particular cases in which the question of naturalisation arose included that of Abdul Wahid, a Shinwari, who had become a naturalised British subject when in Australia, and returned to Afghanistan to take up a mining concession. For this purpose too he abandoned his British status, and resumed Afghan nationality. The Afghan Government were informed that His Majesty's Government had no objection to such a step<sup>3</sup>, which came within Section 13 of the British Nationality and Status of Aliens Act.<sup>4</sup> In the case of Mahendra Pratap, the bearing of his Afghan naturalisation on the question of his arrest was discussed.<sup>5</sup>

The provisions of the Perso-Afghan Treaty of 1921 as to the nationality of emigrants and nomads were clear enough<sup>6</sup>, but did not prevent the Afghan Consul General at Meshed in 1925 from deliberately intriguing to induce the Hazara immigrants (Barbaris) to return to their homes in Afghanistan.<sup>7</sup> This led to a successful demand by the Persian Government for his recall.<sup>8</sup>

#### 601. Hazaras. Nationality and Enlistment in Indian Army.

(A) **Nationality.**—For all practical purposes Hazaras are of two main classes:—

- (a) Sunni Hazaras, living in the neighbourhood of Herat and on the borders of Khorasan.
- (b) Shiah Hazaras of the Hazarajat, who left Afghanistan in large numbers for India and Persia, after the conquest of their home by Amir Abdur Rahman.

Of class (b) there are four different categories distinguishable in practice:—

- (1) those who are domiciled in India,
- (2) the descendants of (1),
- (3) those who left Afghanistan for Persia, were enlisted in the Indian Army, and earned pensions payable from the Consulate at Meshed,
- (4) those who left Afghanistan for Persia, and their descendants, who served in the Army or Levy Corps, were discharged, but had not earned pensions.<sup>9</sup>

Class (3) and (4) are of course not British subjects.

It was held that as regards class (1) they were not British subjects until legally naturalised; and that as regards class (2) they were British subjects under Section 1 (1) (a) of the British Nationality and Status of Aliens Act, 1914, although under the Afghan Nationality Rules, Sections 84 and 92, they might be claimed as Afghan subjects by the Afghan Government, and if they took out certificates of nationality in Afghanistan, they would cease to be British

<sup>1</sup>Tel. 856 (5-6-1924) from N-W. F to G. of I (F 22-F 68).

<sup>2</sup>Letter 1-F (24-7-1924) from G. of I to Waz. (*ibid* 74).

<sup>3</sup>Kabul tel 366 (23-10-1924) (F 175-F. 49)

<sup>4</sup>Tel. 1598 (15-10-1924) from G. of I to Baln (*ibid* 41).

<sup>5</sup>Para. 507

<sup>6</sup>Para 722. (Appx II).

<sup>7</sup>Letter 45 (19-11-1925) from C. G., Meshed to Min. Tehran (A. S XIX, 116).

<sup>8</sup>Tehran despatch 457 (26-8-1925) (*ibid* 28).

<sup>9</sup>Despatch T.44 (11-8-1923) from C. G. Meshed (F. 9-1-F. 1923).

subjects under section 13 of the Act, and, under Section 14 (1) of the Act, would lose their British status, if they made a declaration of alienage.<sup>1</sup> There was no objection however, at any rate until one was made by the Persian or the Afghan Government, to Hazaras being given *rahdaris* and pilgrim certificates, since these contained no statement as to nationality. The Hazaras who had become British subjects would be given passports.

In connection with the claim by Hazaras for compensation on account of losses caused them by the Shahjui Wazirs, it was noted that 'Afghan Government are supersensitive on the question of Hazaras as being Afghan subjects'.<sup>2</sup>

**602 (B) Enlistment.**—The first Hazara regiment of the Indian Army was recruited in Quetta in 1904 ; and in 1924 it was noted that recruiting for these regiments was then mainly from Afghanistan, and that the proportion enlisted from Persian Khorasan was ' quite small '.<sup>3</sup>

The enlistment of Hazaras in the Indian Army supplied the Afghan Government with a constant grievance. It was discussed with previous Amirs, and under Amanullah was first raised at Mussoorie :—

*Mr. Dobbs.*—We have I think had some fresh recruits from the Hazara country but not many.

*Sardar-i-Ala.*—This also (recruiting from our country) is a kind of intrigue and instigation. It damages us. All this causes trouble and is not proper on your side in times of peace.<sup>4</sup>

Whenever British complaints were made of the employment of British tribesmen as Khassadars or Alijaris near the frontier, the British enlistment of Hazaras, although very different in character, was frequently quoted in reply :—

' Foreign Minister in defence of Afghan employment of British tribes in times of necessity quoted our enlistment of Hazaras '<sup>5</sup>

And when, in 1925, the Afghan Consul in Meshed was recalled on account of his intrigues to repatriate Hazaras from Persia,<sup>6</sup> S. Mahmud Tarzi explained that enlistment of Hazaras for the Indian Army by a British colonel had prompted the Consul's action.<sup>7</sup>

Kabul despatch 74 of September 5, 1925<sup>8</sup> throws further light on the Afghan attitude in the matter.

It seems clear that, so long as Hazaras are recruited for the Indian Army, our objection to the enlistment of our tribesmen by the Afghan Government can logically be directed only against the employment of these in the immediate vicinity of the Durand Line.

<sup>1</sup>Memo. 9|1-F. (13-11-1924) from G of I. to C. G. Meshed (F 9-1-F. 1923).

<sup>2</sup>Kabul tel. 94 (24-4-1924) (*ibid.*).

<sup>3</sup>Letter C |9 (5-3-1924) from C. G. Meshed to G of I. (*ibid.*).

<sup>4</sup>Progs. of the 9th Meeting.

<sup>5</sup>Kabul tel 198 (5-11-1924) (A. S. XVI, 281).

<sup>6</sup>Paras 356, 600.

<sup>7</sup>Kabul tel 110 (8-8-1925) (A. S. XVIII, 233).

<sup>8</sup>(A. S. XIX, 21).

## CHAPTER XXXII.

### CONSULATES.

603. **British Consulates in Afghanistan and Afghan Consulates in India.**—The initiative in the exchange of Consuls under the present Treaty was taken by the Afghan Government. The admission of Afghan Consular representation was in their eyes an admission of Afghan independence, and desired accordingly :—

‘ The Afghans expected that change of status would be signalled by permission to them to send Minister to London, Consuls General to Simla and Delhi, Consuls to Bombay, Calcutta, and Karachi, Vice-Consuls to Peshawar, Quetta, and Parachinar. By receiving English Minister at Kabul and English Consuls at suitable places they were willing to reciprocate ’<sup>1</sup>

The Government of India objected to Afghan Consuls on the Frontier, e.g., at Peshawar :—

‘ Consul at Peshawar would inevitably form focus of intrigue... .... we should therefore in present circumstances refuse even to consider possibility of such an appointment.’

They were however prepared to consider the reception of Consuls at Bombay, Karachi, and Calcutta, as part of a Treaty of Friendship,

‘ provided fully reciprocal treatment in Afghanistan is accorded to us, and any British Consulates established in Afghanistan are allowed liberty of action, and are properly treated.’<sup>2</sup>

Accordingly the Mussoorie *Aide Memoire* provided for Consulates on a basis of reciprocity ; British at Jalalabad, Ghazni and Kandahar, and Afghan at Calcutta, Bombay and Karachi.<sup>3</sup>

The Afghan draft Treaty put forward in April 1921 proposed British Consulates at Herat, Turkestan, Kandahar (? Maimana), Jalalabad, Ghazni, and Kandahar, and Afghan Consulates at Calcutta, Karachi, Bombay, Peshawar, Parachinar, and Quetta.<sup>4</sup>

Sir H. Dobbs then suggested the substitution of a Consulate at Herat for that at Ghazni in the British draft :—

‘ It is probable that they think that we should use Ghazni as a base for intrigue with Ghilzais ’<sup>5</sup>

‘ The Government of India however noted :—

‘ We doubt wisdom of accepting Consulate at Herat as our argument against Russian Consulates on our borders would thereby be weakened. We should prefer to drop Consulate at Ghazni, which we do not really need, and which was included simply in order to balance the three Afghan Consulates ’<sup>6</sup>

Sir H. Dobbs then retained Ghazni as :—

‘ It is now probable that the Russians will have a Consul at Ghazni.’<sup>7</sup>

As to the value of the British Consulates in Afghanistan the Government of India wrote :—

‘ As we are in no real need of Consulates at both Jalalabad and Kandahar, Dobbs might meet the Amir’s wishes by striking out one or the other, preferably the former, in view of our long connection with the latter ’<sup>8</sup>

During the final discussions of the ‘ gentlemanly ’ Treaty between Sir H. Dobbs and the Amir, Ghazni was again dropped as a site for a British Consulate,<sup>9</sup> and it was agreed that the ‘ Afghan representative with the Viceroy should be designated Consul General rather than Envoy ’.<sup>10</sup>

<sup>1</sup>Tel. 7 (20-4-1920), from Ch Br Rep, Mussoorie, to G. of I (Progs., Oct 20, 414).

<sup>2</sup>Tel 53 (12-1-1920), from Viceroy to S of S (*ibid*, 386)

<sup>3</sup>Para 99.

<sup>4</sup>Letter 28 (4-4-1921), from Af For Min., to Br Rep, Kabul (A. S. V, 157).

<sup>5</sup>Tel 106 (29-4-1921), from Br Rep, Kabul, to G of I (*ibid*, 199).

<sup>6</sup>Tel 672 (11-5-1921), from Viceroy, to S. of S (*ibid*, 231).

<sup>7</sup>Tel. 30 (19-9-1921), from Br Rep, Kabul, to G of I (A. S. VI, 323).

<sup>8</sup>Tel 2290 (30-9-1921), from Viceroy, to S. of S (*ibid*, 360).

<sup>9</sup>Tel. 366 (12-11-1921), from Br Rep, Kabul, to G of I. (*ibid*, 488).

<sup>10</sup>Tel. 370 (14-11-1921), from Br Rep, Kabul, to G of I. (*ibid*, 497).

'The designation 'Consul General at Government headquarters' was, it was noted, likely to raise 'awkward position *vis à vis* other powers', especially as the Japanese Consul General had 'recently made an informal request for establishment of Consulate General at Delhi and Simla, which was turned down.'<sup>1</sup>

However it was evidently too late to alter the phrasing, and the Treaty as signed provides (Article IV) for the establishment of British Consulates at Kandahar and Jalalabad, of an Afghan Consul General at the headquarters of the Government of India, and of three Afghan Consulates at Calcutta, Karachi, and Bombay.

**604 The position of British and Afghan Consuls under the Treaty**—The rights of British and Afghan Consuls with the restrictions to which they are subject are stated in Schedule II of the Treaty, read with Article V, and are discussed in Sir H. Dobbs' note of February 18, 1921,<sup>2</sup> and in Enclosure I to Kabul Despatch 56 of December 4, 1923.<sup>3</sup>

**605. Their legal position.**—The question of the immunity or special privileges of Consuls in regard to legal proceedings, as specified in Sir H. Dobbs' draft Schedule II, proved a difficult one, and His Majesty's Government pointed out :—

'In International Law no special immunities are enjoyed by Consuls, and without express legislation it would be impossible for His Majesty's Government to prevent any civil or criminal court from dealing with an Afghan Consul in the same way as any person of private status'<sup>4</sup>

The Treaty however only provided for the establishment of Afghan Consuls in India, and the question whether Indian courts would consider themselves bound by the Treaty was then examined.

It was then held that, as 'Government has control over criminal proceedings', in place of 'the said courts shall not sentence' in clause (c) (ii) of Schedule II, the wording should be 'no Consul General, etc., shall suffer'; and in clause (c) (iii) instead of 'provided that they shall not be liable to arrest or punishment' the wording should be 'provided that they shall enjoy the customary facilities, etc.'

The present phrasing of these clauses then only holds good for India, and if Afghan Consuls were appointed to Great Britain or the Dominions, the question would need further examination.<sup>5</sup>

#### **606. Concessions to Consuls.—**

**(A) Customs concessions.**—The customs concessions<sup>6</sup> allowed to the British Legation at Kabul by the Government of India have been extended to the Consulates at Jalalabad and Kandahar.<sup>7</sup>

The question as to whether British Consuls in Afghanistan should claim exemption from Afghan customs under Article V of the Treaty, on the ground that the Russian Consul in Herat was so exempted, raised the further difficult question of the interpretation of 'most favoured nation' treatment, as being absolute or conditional on reciprocity.<sup>8</sup> The Government of India considered that British Consuls in Afghanistan should claim 'most favoured nation' treatment under Article V, and stated that the Government of India would continue, as regards the treatment of Afghan Consuls in India, to follow the principle of reciprocity, 'and to leave it to the Afghan Government to claim greater concessions for their Consuls on the basis of the 'most favoured nation' clause of the Treaty, if they so desire.'

**(B) Exemption from municipal taxation.**—A proposal was made by the Afghan Foreign Minister that Afghan Consuls in India and British Consuls in Afghanistan should be exempted from the payment of municipal taxes on a basis of reciprocity. Such exemption would however have been contrary to

<sup>1</sup>Tels. 2579 (16-11-1921) & 2585 (17-11-1921), from G. of I., to Br. Rep., Kabul (A. S. VI, 511 and 519).

<sup>2</sup>(A. S. V, 26).

<sup>3</sup>(A. S. XI, 40).

<sup>4</sup>Tel. 2750 (3-6-1921), from S. of S., to Viceroy (A. S. V, 303).

<sup>5</sup>See Home Office letter 2421 (27-5-1921) (*ibid.* 451) and notes in the Leg. Dept. (6-6-1921) (*ibid.* n. pp. 91—93).

<sup>6</sup>For these concessions see paras 676—680.

<sup>7</sup>Letter 346 Cus. 26, from G. of I. (Fin. Dept.) (F. 77-F, 11).

<sup>8</sup>Para. 607.

<sup>9</sup>D. O. letter 817-G. (25-1-1924), from G. of I., to Min., Kabul (F. 817-G.-1923), and see d. o. tel. 2065 (16-12-1926), from G. of I. to Min., Kabul (F. 205-F, 1926).

international practice, and the proposal was rejected. The only case in which foreign Consuls in India have received such exemption was that of American Consular Officers in Madras, whose 'professional tax' is paid on their behalf by the Government of India.<sup>1</sup>

**607. Reciprocity and 'most favoured nation' treatment.**—Article V of the Treaty lays down the most favoured nation principle as governing the treatment of Consuls. In June 1923 the Government of India in a letter to Sir F. Humphrys mentioned 'the principle of reciprocity which is one of the fundamental principles applicable in all matters relating to foreign Consular representatives'.<sup>2</sup> The question as to the extent to which the principle of reciprocity can override, or be held to be presupposed by, the provisions of Article V is a difficult one, which arose in a practical form in connection with the exemption of British and Afghan Consuls from payment of Afghan and Indian customs respectively.<sup>3</sup> It was referred to His Majesty's Government for decision in another case.

The reply showed that :—

'There appears to have been no definite policy on the subject which is indeed open to much controversy . . . In all the circumstances therefore, it is not considered desirable to express any definite opinion on the question raised by the Government of India, and the Secretary of State would prefer that the matter should not be pressed.'<sup>4</sup>

It seems possible that this thorny question might reappear in the negotiations for a revision of the present Treaty.

**608. Appointment of Afghan and British Consuls—Afghan Consuls.**—The Afghan Government lost no time in nominating Haidar Khan as Consul General, and Haji M. Akbar Khan as Consul at Bombay. These appointments were notified in December 1921 by telegram to the Secretary of State for Foreign Affairs.<sup>5</sup>

Their Consul at Karachi was appointed in October 1922,<sup>6</sup> but the Calcutta post has not been filled.

The appointments made were accepted, and it was pointed out that the commissions of appointment should issue under the hand of the Amir, so that exequaturs might be issued and forwarded either to the Afghan Minister in London or to the British Minister at Kabul. Meanwhile the Afghan Consuls could proceed to their posts under provisional recognition.<sup>7</sup>

The Government of India enquired whether the Consul General's commission should be signed by the Amir, and, if so, whether Sir F. Humphrys could safely assure the latter that the exequatur would bear the King's signature.<sup>8</sup>

His Majesty's Government replied that :—

'Commissions signed by head of foreign state concerned are usually given to officers of rank of Consul-General. Exequaturs are issued over His Majesty's signature on production of these Commissions, but not otherwise '<sup>9</sup>

**609. British Consuls.**—In June 1922 two Indian members of the Provincial Service were selected for the post of British Consul at Jalalabad and Kandahar respectively.

S. Mahmud Tarzi professed to be disappointed at this selection :—

'He replied that he hoped in the future these two posts would be filled by Englishmen, and he expressed the profoundest disappointment that it had not been found possible to do so in this instance '<sup>10</sup>

The Government of India in recommending their appointment to His Majesty's Government remarked :—

'Though it was accepted as essential that an Englishman should be appointed as Minister, we have assumed throughout that Consuls at Jalalabad and Kandahar would be

<sup>1</sup>(F 597-G., 1927) and see d o. tel. 1778 (29-10-1926), from G. of I, to Mn., Kabul (F 205-F, 1926)

<sup>2</sup>D O. letter 1426-476 (18-6-1923), (F. 476-F, n p 5) For further discussions see F 1165-G, 1923

<sup>3</sup>Para. 606

<sup>4</sup>F O letter T-8775|1992|334 (28-8-1923) (F. 1165-G, 1923).

<sup>5</sup>(A S VI, 729)

<sup>6</sup>Kabul tel 248 (3-10-1922) (F. 452-G, 30).

<sup>7</sup>Tel. 161 (12-1-1922), from S of S, to Viceroy (A S. VII, 27).

<sup>8</sup>Tel. 164 (5-2-1922), from Viceroy, to S of S (*ibid.* 117)

<sup>9</sup>Tel. 864 (27-2-1922), from S. of S., to Viceroy (F. 452-G, 11).

<sup>10</sup>Kabul tel. 39 (12-6-1922) [F. 68 (7), 20]

Indians, partly because of lack of amenities for, and possible dangers to, Englishmen, partly on grounds of economy, and partly for reasons of policy, as Indian public opinion expects that Indians will be associated with British representative in Afghanistan, and it is desirable that they should be so associated. We can trace no record that Dobbs made our intentions clear to Tarzi, but are under the impression that he did so.<sup>1</sup>

This important question was further discussed by Sir F. Humphrys in a despatch<sup>2</sup> of January 1923, in which he came to the conclusion that while in present conditions there was no alternative to the appointment of Indians to these Consulates, there would be no insuperable difficulty to appointing Europeans to these posts, should future developments render this desirable.

This despatch forwarded draft instructions for the Consuls which were approved 'on the distinct understanding that the prohibition of the employment of secret agents or informants in the collection of information is strictly observed.'<sup>3</sup>

The commissions of appointment bore the Sign Manual and no consular districts were specified in them.<sup>4</sup>

The Afghan Foreign Minister, however concurred in the suggestion made by Sir F. Humphrys that :—

'The Consul's jurisdiction as regards British subjects should be regarded as extending to the whole of Afghanistan and agreed that for reasons of convenience the administrative decisions of the Southern Circle (Simat-i-Janubi) and Badakshan should be treated as included in the sphere of the Jalalabad, and Farah in that of the Kandahar Consulate.'<sup>5</sup>

For an acting appointment it was noted that it was not the practice of the Foreign Office to issue a Royal Commission or notification in the London Gazette.<sup>6</sup> The Foreign Office in such a case merely intimated the approval of the Secretary of State for Foreign Affairs of charge being assumed by the acting incumbent.<sup>7</sup>

**610. The channel of correspondence for British and Afghan Consuls.**—Afghan Consuls in India are allowed to correspond direct with the local Government, but not with the subordinate officers of that Government.<sup>8</sup> The British Consuls at Jalalabad and Kandahar, in all official correspondence with the Afghan Government, address the Mamur-i-Kharija.<sup>9</sup>

**611. Incorrect procedure by Afghan Consuls in India.**—The Government of India have more than once had occasion to object to improper proceedings on the part of Afghan Consuls in India.

In April 1922 a garden party given by the Afghan Consul General at Simla, on the occasion of the hoisting of the Afghan flag at the Consulate, 'degenerated into something like an anti-British demonstration.' Shortly afterwards the Consul General sent a congratulatory telegram to the 'Jamiyat-ul-Ulema' in Delhi, on the subject of the entry of Mustapha Kemal's forces into Constantinople.

The Foreign Secretary spoke seriously to the Consul General in regard to these matters, which were brought to the notice of the Afghan and His Majesty's Governments.<sup>10</sup>

In August 1924 the question of remonstrating, in regard to an objectionable remarks made by the Afghan Consul at Bombay to a Press representative, was discussed. It was finally decided to take no action.<sup>11</sup>

In January 1923 the Consul General brought up the case of certain Afghans, who, he considered, had suffered hardships, but was informed that no points which raised diplomatic issues could be discussed with him.<sup>12</sup> A more liberal view was however taken in regard to the intervention of the Consul General in

<sup>1</sup>Tel. 839 (22-6-1922), from Viceroy, to S of S [F. 68 (7), 24].

<sup>2</sup>Kabul despatch 3 (10-1-1923) (F. 407-F, 1922, 1-A).

<sup>3</sup>F. O. despatch 18 (19-3-1923) (*ibid*, 2).

<sup>4</sup>Ibid.

<sup>5</sup>Kabul despatch 3 (10-1-1923) (F. 452-G, 55).

<sup>6</sup>Letter P-4106 (16-10-1924), from I. O., to G. of I. [F. 68 (7), n. p. 86].

<sup>7</sup>F. O. despatch 71 (9-10-1924) (*ibid*, n. p. 87).

<sup>8</sup>F. 146-F, 1926 (n. p. 1) and see F. 503-F, 1922 (n. p. 4).

<sup>9</sup>Memo 140-F. (11-6-1926), from G. of I., to Min. Kabul (F. 146-F. 1926, 2).

<sup>10</sup>(F. 220-F. 1922).

<sup>11</sup>A. S. XVI, n. pp. 5-11.

<sup>12</sup>(F. 428-F. 1923).

the matter of the Suleman Khel *harampta*.<sup>1</sup> Other instances of the attitude of the Government of India on this point were collected and discussed on a reference from Sir F. Humphrys in February 1923<sup>2</sup> in reply to which it was stated :—

' In practice exception is not taken to a Consul addressing the Government to which he is accredited on questions of trade and commerce, and on behalf of his nationals where their individual interests are concerned. If he steps outside these limits a Consul renders himself liable to the imputation of attempting to usurp diplomatic functions. This is the rule observed by His Majesty's Government in the United Kingdom, and they have issued instructions indicating the importance attached by them to its uniform observance throughout His Majesty's Dominions. No doubt the position of ' the Afghan Consul General at the headquarters of the Government of India ' as defined by Treaty, (and therefore perhaps by implication to some extent that of the other Afghan Consuls in India), is not exactly on a par with that of other Consular representatives in this country, and it must be admitted that in accommodating ourselves to the new régime we have not been absolutely consistent in our dealings with the Afghan Consul General. But unless stronger cause to the contrary then has yet appeared can be shown, the arguments against admitting any deviation from customary Consular procedure in respect of the Afghans seem stronger than those in its favour. In future therefore we propose strictly to observe the general rule.'<sup>3</sup>

**612. Afghan rules for Consuls.**—In October 1926, the Afghan Government issued rules for their Consuls. These are in no way remarkable, except for the insistence in Rule 44 on the principle of ' most favoured nation treatment.'

' They should at once inform their Legation and the Foreign Office on receiving information to the effect that any particular foreign Consul has been given comparatively more rights and privileges.'<sup>4</sup>

**613. Appointment of local agents by Afghan Consul General.**—In December 1922, it was ascertained that the Afghan Consul General in India had appointed six agents, giving them ' beats ' covering Bengal and Assam, Sind, Calcutta, the North-West Frontier Province (with one for Dera Ismail Khan to deal particularly with the Powindahs), and one with a roving commission, to be sent where necessary.

The duty of these agents was to—

- ' (1) Make complete lists of Afghan subjects, and to collect information as to their business in India
  - (2) Warn Afghans in India that usury and the business of money lending in which they engage themselves is not approved of by the Afghan Government, that they should desist from this practice, which is contrary to their religion
- \* \* \* \* \*
- (3) Ask them to nominate from amongst themselves a headman as a representative through whom they can address to him (*i.e.*, the Consul General) their complaints and requests for assistance, as well as receive his instructions.<sup>5</sup>

In March 1923, the Agent for the Dera Ismail Khan district, Nawab Khan Kharoti, was reported to have prevented a Dotani and Suleman Khel jurga from attending in compliance with a summons by the Deputy Commissioner, Dera Ismail Khan.<sup>6</sup> There was held to be insufficient proof of this to justify a formal complaint, and the report was denied by the Consul General.

The Government of India ordered that these agents should be watched, but should on no account be given letters or anything else which would imply recognition by Government of their possessing any sort of official status.<sup>7</sup>

The Minister, Kabul, considered that ' no exception need be taken ' to the appointment of these agents, or to that of Afghan newswriters, which had also been reported.<sup>8</sup>

**614. Russian Consulates in Afghanistan.**—The location of British Consuls in Afghanistan is for the most part discussed in the official correspondence as governed entirely by the principle of reciprocity ; but there are some indications

<sup>1</sup>(F 162-F 1923).

<sup>2</sup>(F 476-F 1923, n. p. 1).

<sup>3</sup>D O letter 1426-476-Fr, (18-6-1923), from G. of I., to Min., Kabul (F 476-F. 1923, n. p. 5)

<sup>4</sup>Kabul despatch 54 (20-5-1927).

<sup>5</sup>Note in the F. and P. Dept. (23-12-1922), (F 488-F, 1923).

<sup>6</sup>N.W. F P Intelligence Bureau Diary 12, 1923 (para 69) (*ibid*).

<sup>7</sup>D O letter 43|m.a.|22 (20-1-1923), from Asst Dir, I B, Delhi, to Asst I G. P., Peshawar (*ibid*).

<sup>8</sup>D O. letter 81 (21-3-1923), from Min., Kabul, to G. of I. (*ibid*).

that it was also affected by the provisions of the Russo-Afghan Treaty, which allowed the establishment of Russian Consulates in Eastern Afghanistan. Thus, as has been noticed, Sir H. Dobbs stipulated for a Consulate at Ghazni when it was thought that the Russians would get one there;<sup>1</sup> and in his conference with S. Mahmud Tarzi and S. Nadir Khan, Sir H. Dobbs suggested telling the Russians that establishment of their Consulates on our frontier would 'involve British Consulates at Maimana and Mazar-i-Sharif.'<sup>2</sup>

So from a very early stage there were two principles affecting the establishment of British Consulates in Afghanistan, that of reciprocity with the Afghan Government and that of equal treatment with Russia.

In October 1920, information was received to the effect that the Russians were negotiating with the Afghans for permission to establish Consulates at Kandahar and Ghazni, and that this concession was to be one of the main considerations for a subsidy<sup>3</sup>

The question of these Consulates then became of crucial importance in the negotiation of the Anglo-Afghan Treaty.

The Government of India remarked that 'conclusion of friendship treaty would be rendered quite impossible, if Bolshevik Consulates were established at Kandahar and Ghazni,'<sup>4</sup> and the Amir was informed accordingly in a letter from the Viceroy.<sup>5</sup> The Amir in reply denied the bargain alleged, stated that Consulates could only be established 'in accordance with the proper rules', and promised that the Russian Consulates would 'never be established for the purpose of causing harm to, and creating mischief in, the dominions of Your Excellency's Government.'<sup>6</sup> Sir H. Dobbs did not conceal from S. Mahmud Tarzi the importance attaching to this question:—

'But I must warn you that the question of Bolshevik Consulates at Kandahar and Ghazni is a vital one which may bring our best efforts to grief.'

The '*pis aller*' draft provided in clause VI for an undertaking by the Afghan Government against the establishment of Consuls or Agents or any other Government within the provinces and districts of Jalalabad, Khost, Ghazni and Kandahar, with a similar undertaking on the part of the Government of India in respect of the North-West Frontier Province, the district of Dera Ghazi Khan and the Baluchistan Agency.<sup>8</sup>

Sir H. Dobbs remarked:—

'In any case I do not see how the clause is to be avoided, as it is vital to us.'<sup>9</sup>

The Secretary of State then suggested the specification of a zone limited by a line parallel to the frontier, within which Foreign Consuls would be prohibited<sup>10</sup>, and a provision of this kind was accordingly entered in the 'Exclusive' and '*pis aller*' drafts.<sup>11</sup> The Government of India were prepared to break off negotiations on the question of these Consulates rather than on that of the Russian subsidy.<sup>12</sup>

In Sir R. Horne's note of March 16, 1921, to Krassin it was stated:—

'It is beyond dispute that propaganda in India would be a prominent function of Consulates which he aims at establishing at Kandahar, Ghazni, and Jalalabad'<sup>13</sup>

(It is worth enquiring at this point what the authority was for the view that the Russians intended to establish a Consulate at Jalalabad. The Russo-Afghan Treaty, Article V—rather surprisingly—does not mention Jalalabad, although Article IV provides for the opening of further Consulates by special agreement.

<sup>1</sup>Para. 603.

<sup>2</sup>Memo. 13 (20-1-1921), from Br Rep., Kabul, to G. of I. (A. S. IV, 773).

<sup>3</sup>Tel. 2291 (29-10-1920), from S. of S., to Viceroy (*ibid*, 651).

<sup>4</sup>Tel. 1266 (1-11-1920), from Viceroy, to S. of S (*ibid*, 652)

<sup>5</sup>Kharita 6 P. O. A. (7-11-1920), from Viceroy, to Amir (*ibid*, 667).

<sup>6</sup>Letter 3 (16-11-1920), from Amir, to Viceroy (*ibid*, 675)

<sup>7</sup>Letter 65 P. O. (11-12-1920), from Sir H. Dobbs, to Af For. Min (*ibid*, 687).

<sup>8</sup>(A. S. V., 26).

<sup>9</sup>*Ibid.*

<sup>10</sup>Tel. 1172 (23-2-1921), from S. of S., to Viceroy (A. S. V, 29).

<sup>11</sup>(A. S. VI, 174 A. and 213).

<sup>12</sup>Tel. 287 (1-3-1921), from Viceroy, to S. of S. (A. S. V, 39).

<sup>13</sup>Tel. 1591 (17-3-1921), from S. of S., to Viceroy (*ibid*, 88).

Later the fact that Letter III attached to the Anglo-Afghan Treaty provided against the establishment of Russian Consulates at Jalalabad, Ghazni, and Kandahar, tended to give the impression that a right to establish Consulates at all these places had been accorded by the Russo-Afghan Treaty.

It seems that S. Mahmud Tarzi, either intentionally or otherwise, confirmed this impression, when he told Sir H. Dobbs that—

‘Rosenburg was accompanied by three Russians destined for appointment to Consulates at Kandahar, Ghazni, and Jalalabad, with full personnel, and that these would be immediately installed’<sup>1</sup>

S. Mahmud Tarzi suggested ‘threatening Russians with British Consulates on their boundary unless they withdrew their request,’<sup>2</sup> and said that he had actually done so, but without success, since :—

‘Suritz had replied that for all he minded British might have ten Consulates there’<sup>3</sup>

‘Tarzi admitted that Eastern Consulates constituted the main consideration given to Russia in the Treaty, and agreed that sole object of these Consulates was to stir up trouble in India.’<sup>4</sup>

Sir H. Dobbs, who was of course in the best position to give an opinion, regarded this admission as the result of a ‘sincerity which is unusual,’<sup>5</sup> but it is difficult, in the light of the subsequent course of the negotiations, to avoid the conclusion that the Amir and Tarzi were deliberately exaggerating both their helplessness and the danger threatening India from the Eastern Consulates, as a means of raising Sir H. Dobbs’ offer of inducements to break with Russia.<sup>6</sup>

His Majesty’s Government decided that it would not be wise to put pressure on Russia regarding the Eastern Consulates,<sup>7</sup> but later, in response to a request from the Government of India, decided to do so, though they did not ‘feel sanguine that any very satisfactory results’ were likely to be achieved.<sup>8</sup>

Tchitcherin’s note of April 20, 1921, undertook that the activities of Russian Consulates in Afghanistan would not be directed against Great Britain.<sup>9</sup>

In June 1921, when proposals were under consideration for the total exclusion of Russian Representatives from Afghanistan the Government of India said :—

‘Not only would Russian Consular and Commercial Agents be propagandist nuclei dangerous both to Afghanistan and ourselves, but they would also obviously involve us in constant friction and misunderstanding.’<sup>10</sup>

**615. The proposals for exclusion of Consulates of any third Power.**—The proposed exclusion of the Consulates of any third power from a specified zone was devised to prevent the establishment of Consulates, as for instance by Turkey or Bokhara, which would form a disguised channel for Bolshevik intrigue.

The proposal made by the Afghans in the course of the negotiations was that they should give a letter :—

‘Saying that for so long as Russian Government is based on communism it will be considered by Afghanistan as being opposed to British, and its Consulates excluded... . . . But they stated categorically that they would not consent to exclude Bokharan or Anatolian Consulates, which would of course work for Bolsheviks, and the whole arrangement would be illusory’<sup>11</sup>

On this point the Government of India commented :—

‘In any case we should restrict ourselves to exclusion of Russian Consulates only. Even under exclusive Treaty our chances of being able to exclude Turkey appeared to us extremely slight. As for Bokhara, Jalalabad lies on the great trade route from Bokhara to Peshawar, and it would obviously be unreasonable to insist on excluding Bokharan Consulates from Jalalabad at any rate.’<sup>12</sup>

<sup>1</sup>Tel. 138 (23-5-1921), from Br Rep., Kabul, to G of I (A S V, 275).

<sup>2</sup>Tel. 79 (3-4-1921), from Br Rep., Kabul, to G of I. (*ibid*, 134).

<sup>3</sup>Tel. 85 (10-4-1921), from Br Rep., Kabul, to G of I. (*ibid*, 151).

<sup>4</sup>*Ibid.*

<sup>5</sup>Tel. 89 (14-4-1921), from Br. Rep., Kabul, to G of I (*ibid*, 159).

<sup>6</sup>See tel. 138 (23-5-1921), from Br Rep., Kabul, to G of I. (*ibid*, 275).

<sup>7</sup>Tel. 2028 (15-4-1921), from S of S, to Viceroy (*ibid*, 160).

<sup>8</sup>Tel. 2235 (29-4-1921), from S. of S, to Viceroy (*ibid*, 197).

<sup>9</sup>Tel. 2236 (30-4-1921), from S of S, to Viceroy (*ibid*, 205).

<sup>10</sup>Tel. 808 (5-6-1921), from G of I, to Br Rep., Kabul (*ibid*, 314).

<sup>11</sup>Tel. 242 (9-6-1921), from Br Rep., Kabul, to G. of I (A S VI, 114).

<sup>12</sup>Tel. 1955 (14-8-1921), from Viceroy, to S of S (*ibid*, 133).

The Secretary of State however considered that the clause as then drafted, and as it would be interpreted by the Afghans, afforded no safeguard while 'it is impossible' he added 'for me seriously to offer to the Cabinet your defence of Bokharan Consulate at Jalalabad.'<sup>1</sup> This point was further discussed by the Secretary of State in telegram 4503 of September 2, 1921, in which he stated that 'an obligation to admit Consuls is not recognised by any civilized Power, except when satisfied that such admission is justified by commercial interests.'<sup>2</sup>

Finally the problem was solved by the bargain described in the letters attached to the Anglo-Afghan and Russo-Afghan Treaties.<sup>3</sup>

**616. Reality of the danger from the Eastern Consulates.**—The views expressed in the official correspondence as to the danger which would actually be involved in the establishment of these Consulates have not always been uniform.

Sir F. Humphrys discussing the point in his 'Treaty despatch' remarked :—

'In spite of the admission of Sardar Mahmud Tarzi that the whole object of their existence would be anti-British intrigues among the frontier tribes, the Government of India at one time considered that the danger to be apprehended from them 'would be little if at all greater than that from Russian Minister, Kabul'.<sup>4</sup> The final view of His Majesty's Government however appears to have been that the establishment of such Consulates would 'bring into immediate jeopardy the friendly relations between the British and Afghan Governments'.<sup>5</sup> Unless therefore the situation is considered to have been radically changed by the subsequent exchange of notes with the Soviet Government, it seems necessary that the exclusion of the Consulates should in the next negotiations be 'made a *sine qua non*'.<sup>6</sup> as it was in the last'.<sup>7</sup>

On this the Agent to the Governor General in Baluchistan made some interesting comments :—

'How far the establishment of Russian Consulates at Kandahar, Jalalabad, and Ghazni, would result in the increase of penetration by Bolshevik agents and literature through Afghan territory is a question open to doubt. As regards literature, I should be inclined to doubt if anything sent could have a more subversive tendency than recent emanations from prominent political platforms in India.'

As regards other activities, so long as no restriction is placed on the activities of the Russian Minister at Kabul, it seems immaterial whether he has at Kandahar a Consul or a private Agent. If the Afghan Government desire to limit the scope of these activities, they will do so whether it be a Consul or Agent. From the point of view of Baluchistan, it is difficult to see what greater trouble could be caused by a Russian Consul at Kandahar than by a Russian secret Agent, and in my own opinion the exclusion of a Russian Consular Emissary from Kandahar is an imaginary advantage, in return for which the Afghans have secured the solid and substantial benefit of free transit through India for their goods. If these were two definite considerations in the bargain, we might well let the former go, while leaving the latter as a manifestation of friendliness, like the subsidy in kind.

Further any condition of exclusion of Consular Emissaries of this sort is a partial negation of Afghan sovereignty, which strikes them where all humanity is weakest, in their vanity. It is to them a very large point. Tribal conditions on the Baluchistan-Afghan border are not such as to afford a very fruitful soil for Bolshevik intrigue directed from Kandahar, and the danger to be anticipated from the possible location of a Russian Consulate at Kandahar does not seem in the circumstances to compensate for the difficulties incidental to the treaty exclusion of such a Consulate'.<sup>8</sup>

The Chief Commissioner, N.-W. F. P. on the other hand wrote :—

'The question of Russian Consulates at Jalalabad, Ghazni, and Kandahar, is one on which I feel very strongly. The exclusion of these Consulates must be a *sine qua non* in the next treaty as in the last. In the negotiations which it seems probable will be undertaken between the British and Soviet Governments at no distant date, we might agree not to establish Consulates in the neighbourhood of the Russian border in return for the abandonment of this claim by the Russian Government. The Soviet Legation in Kabul has done us harm enough on the frontier—how much we are only now learning,

<sup>1</sup>Tel. 4177 (16-8-1921), from S. of S., to Viceroy (A. S. VI, 164).

<sup>2</sup>(A. S. VI, 248).

<sup>3</sup>Paras. 193 and 718.

<sup>4</sup>Tel. 14, (20-8-1921), from G. of I., to S. of S. (A. S. VI, 177).

<sup>5</sup>Tel. 4802, (18-9-1921), from S. of S., to G. of I. (*ibid*, 317).

<sup>6</sup>Tel. 2162 (9-9-1921), from G. of I., to Br. Rep., Kabul (*ibid*, 290).

<sup>7</sup>Kabul despatch 56, (4-12-1923) (A. S. XI, 40).

<sup>8</sup>Memo. 17 (16-1-1924), from Baln., to G. of I. (A. S. XII, 152).

and we have probably more to learn—and that it should have tentacles extending to within a few miles of our frontier is a situation which I cannot contemplate with equanimity '<sup>1</sup>

**617. Kabul despatch 39 of 1924.**—In March 1924 Sir F. Humphrys again raised the question in a despatch. After describing the existing agreements in regard to the Eastern Consulates, which he criticised as ‘a cumbrous arrangement’ offering ‘no prospect of permanence’, he expressed his opinion that at the next negotiations the Amir would raise his demands in connection with the exclusion of these Consulates to a much higher figure, and suggested the possibility of direct negotiations with the Soviet Government, by which either Bolshevik intrigues aimed at India should be abandoned and these Consulates consequently rendered innocuous, or else the exclusion of these Consulates arranged direct with Russia, and removed from the scope of Anglo-Afghan discussions.

The possibility of securing the right to open British Consulates at Herat and Mazar-i-Sharif, as a counterpoise to the establishment of Russian Consulates in Eastern Afghanistan, was discussed :—

‘ In themselves, and except as a counterpoise of the kind suggested, there is perhaps little to be said for British Consulates at Herat and Mazar-i-Sharif. They might, indeed, serve to fill the gap, which is understood to exist in the British intelligence system between Meshed and Kashgar, and to throw light on the objects of Russian policy in Northern Afghanistan ; but it seems doubtful whether the volume of trade, either now being, or likely to be, carried in the near future, by the routes which they would command, would be sufficient to justify their institution. It may, therefore, be considered preferable to fall back on the second alternative of those suggested, *viz*, the exclusion of the Russian Consulates by direct arrangement with the Soviet Government ’<sup>2</sup>

The Government of India in their comments maintained the necessity of excluding the Eastern Consulates :—

‘ At present we are not prepared to acquiesce in admission of Russian consulates to Eastern Afghanistan. We should prefer to secure their exclusion by mutual self-denying ordinance if we can do so, at least until we have observed effect of recognition on course of Russian policy in Asia. But Russians have treaty rights as regards establishment of Consulates in Eastern Afghanistan, while in respect of Western Afghanistan we have no such countervailing right. Humphrys suggests that we could probably secure it from Afghans in return for reciprocal Consular privileges on Indian frontier. If admission of Afghan Consuls to Peshawar and Quetta would necessitate our receiving foreign Consular representatives generally in inland towns, we would not consent to it. We see no very serious objection however if, as we believe, it implies no more than possible admission of Persian Consulates to inland places, where Persian interests require them—’<sup>3</sup> and in a later telegram, after pointing out the risk involved in any attempt to settle matters over the heads of the Afghans, suggested :—

‘ It might perhaps be feasible to use obvious difficulty over taking note of Article V of Russo-Afghan Treaty to furnish pretext for sounding representatives of Soviet in conversation as to attitude likely to be taken with regard to Afghan questions by their Government, especially with regard to the question of the Consulates. We shall know where we are if they make it clear that Soviet Government has no intention of waiving rights under Russo-Afghan Treaty, and no harm will have been done. On the other hand, if Soviet Government let it be seen that they are open to a deal, it might perhaps be possible to induce them to agree to inform Afghans officially that they formally relinquish their right under the Treaty.’<sup>4</sup>

The question was not however discussed at the Anglo-Soviet Conference of 1924.

#### **618. The ‘Eastern Consulates’: the present position.**

‘ The present position is as follows : Article V of the Russo-Afghan Treaty gives the Soviet Government the right to establish Consulates at Ghazni and Kandahar. In letter III attached to the Anglo-Afghan Treaty, the Amir agreed conditionally to disallow the exercise of that right, in return for certain valuable concessions in regard to the transit of goods imported to Afghanistan through India, and in addition to prevent the establishment of a Russian Consulate at Jalalabad. M Suritz, the Soviet Minister in Kabul, in a letter subsequently confirmed by his successor, M. Raskolnikoff, promised that for the time being he would not press the claim to Consulates at Kandahar and Ghazni.’<sup>5</sup>

<sup>1</sup>Memo 402, (4-2-1924), from N W F, to G of I, (A S XIII, 13).

<sup>2</sup>Kabul despatch 39, (4-3-1924) (*ibid*, 228-A)

<sup>3</sup>Tel. 600 (20-3-1924), from Viceroy, to S of S (*ibid*, 242)

<sup>4</sup>Tel. 814 (28-4-1924), from Viceroy to S of S (F 154-F, 39).

<sup>5</sup>Kabul despatch 39 (4-3-1924) (A. S XIII, 228-A.).

In view of the importance attached to the exclusion of these Consulates the present conditional basis on which it rests seems very frail, and Sir H. Dobbs' claim that his Treaty 'definitely secures the exclusion of Russian Consulates from the neighbourhood of the Indo-Afghan Frontier'<sup>1</sup> appears to go too far.

The Chief Commissioner, N.-W. F. P. considers it most important to maintain this exclusion,<sup>2</sup> and this is also the attitude of the Government of India, who would welcome exclusion by direct arrangement with Russia, if such negotiations were rendered possible by a change in the relations between His Majesty's Government and Russia.<sup>3</sup> At the moment no such change seems imminent, and one of the main problems of the next Treaty negotiations will be to devise a formula by which the exclusion of these Consulates, if still held to be essential, can be secured.

**619. Russian Consulates in Northern Afghanistan.**—Our information regarding the Russian Consulates in Northern Afghanistan is meagre. They have been established at Herat, Maimana, and Mazar-i-Sharif, but the information available as to the nature and success of their activities is conflicting.<sup>4</sup>

The statement of Mr. L. Staine, of the Indo-Persian Trading Company, that an unrecognised branch of the Vneshtorg existed in Mazar-i-Sharif in 1925, its members being borne on the staff of the Russian Consulate, requires notice.<sup>5</sup>

S. Mahmud Tarzi told Sir H. Dobbs that the Afghan Government had stipulated that there were to be only five Russians in each Consulate, but it seems probable that this condition has not been enforced.<sup>6</sup>

M. Barthoux' account of his journey in Afghan Turkestan and Badakshan, while sufficiently alarmist on the subject of Russian designs in general, is silent as to these ('onsulates).<sup>7</sup>

**620. Russian Consuls in India.**—The question of Russian Consuls in India was discussed in connection with the negotiations for an agreement with Russia in April 1924.<sup>8</sup> The Government of India considered that a Russian Consul might without objection be located at Bombay, but not at Calcutta.<sup>9</sup>

**621. Consular representation of Afghans abroad**—The question as to the arrangements to be made for the assistance of Afghan nationals abroad became one of practical urgency as soon as British control of Afghan foreign relations terminated, and enquiries on the subject were received from the Bangkok Legation in December 1919,<sup>10</sup> and from Peking in January 1920.<sup>11</sup> The question also required decision in Kashgar. It was discussed at the second and fifteenth meetings of the Mussoorie Conference, but the Afghan representatives could give no definite reply, merely stating that Afghanistan should have her own Consuls. An enquiry from Siam showed that there were only seven Afghans in the whole of that country.<sup>12</sup>

In 1921 cases were reported, from Vladivostock and Beirut, of Afghans applying for certificates as British protected subjects. The Government of India considered that all such applications should be refused and that :—

'Attitude of Consular officers should. . . . be studiously non-committal, and they should, when solicited, confine themselves to extending their good offices to Afghans in purely unofficial and informal manner'<sup>13</sup>

Instructions were issued accordingly by His Majesty's Government. After the signature of the Kabul Treaty of November 1921, in view of the fact that the Afghan Government had established Legations in Moscow, Tehran, Paris, Rome, Berlin, Angora, and London, and consular representatives in Russian Central Asia and Meshed, while they had made arrangements with the Persian Government for the protection of Afghan subjects in Syria by the Persian Consul General at Damascus, and contemplated representation at Peking and Kashgar,

<sup>1</sup>Final Report para. 29.

<sup>2</sup>Para. 616.

<sup>3</sup>Para. 617.

<sup>4</sup>Para. 415.

<sup>5</sup>Diary M. A., Kabul (2-10-1925).

<sup>6</sup>Memo 13 (20-1-1921), from Br. Rep., Kabul, to G. of I. (A. S. IV, 773).

<sup>7</sup>Kabul despatch 6 (21-1-1927) (A. S. XXI, 45).

<sup>8</sup>Para. 284 and tel. 838 (13-3-1924), from S. of S., to Viceroy (A. S. XIII, 196).

<sup>9</sup>Tel. 915 (12-5-1924), from Viceroy, to S. of S. (A. S. XIV, 220).

<sup>10</sup>Letter (3-12-1919), from C d'A., Bangkok, to G. of I. (F. 191-F, 4).

<sup>11</sup>Tel. 48 (28-1-1920), from Peking, to G. of I. (*ibid*, 6).

<sup>12</sup>Letter 57 (13-11-1920), from Sir H. Dobbs. to Af. For. Min. (*ibid*, 55).

<sup>13</sup>Tel. 630 (4-5-1921), from Viceroy, to S. of S. (*ibid*, 62).

Sir F. Humphrys was directed to enquire 'in what places, if any, the good offices of His Majesty's representatives would be welcome to the Afghan Government.'<sup>1</sup>

Enquiries from the Afghan Government however failed to elicit any definite reply. The Afghan Minister, Paris was stated in May 1923 to be entrusted with the necessary arrangements, and the Afghan Government to be incapable of grappling with the question as a whole.<sup>2</sup> Later the Afghan Government agreed, for the reason that there was an Afghan Consul at Kashgar,<sup>3</sup> that the British Consul General should cease to issue protection certificates to Afghans there.<sup>4</sup>

The British Consul General at Kashgar, however, handed over Afghan subjects to the Chinese authorities, as the statement of the Afghan Government that they had a Consul in the country was incorrect.<sup>5</sup>

Sir F. Humphrys then asked the wishes of the Afghan Government in regard to the Consular representation of Afghans in China proper, but received an inconclusive reply. The list of Afghan Consular officers in foreign countries at that time was stated to be as follows :—

Consuls General ..	India.
	Tashkent.
	Chinese Turkestan.
Consul ..	Bombay.
	Karachi.
	Meshed.
	Merv. <sup>6</sup>

This list, if accurate, shows that by April 1924 the Afghans had only appointed Consular representatives in India (three out of four allowed by Treaty), Russia (two out of seven), and Persia (one). The Afghan 'Consul General' in Kashgar has not apparently been recognised by the authorities of Chinese Turkestan.

In October 1926, it was suggested by the Minister at Peking that the Afghan Government should be asked to state their attitude regarding the consular protection of Afghans in China more clearly,<sup>7</sup> but it was decided 'in view of the existing situation in China' not to pursue the question.<sup>8</sup>

<sup>1</sup>Letter P -1007, (22-3-1922), from I O, to F O, (F 191-F, 69).

<sup>2</sup>Kabul tel 64 (24-5-1923) (*ibid*, 93).

<sup>3</sup>Para 277.

<sup>4</sup>Kabul tel 124 (1-8-1923) (F. 191-F, 98).

<sup>5</sup>Kashgar tel. 115 (20-12-1923) (*ibid*, 115).

<sup>6</sup>Kabul despatch 87, (10-7-1924), (*ibid*, 129)

<sup>7</sup>Peking despatch 745 (14-10-1926) (F. 445-1).

<sup>8</sup>F. O. letter (10-2-1927) (*ibid*, 7).

## CHAPTER XXXIII.

### TRADE QUESTIONS.

622. **The commercial policy of the Afghan Government.**—In January 1923 the Afghan Government was reported to have evolved a scheme ‘for advancing money to traders, which, in spite of the Islamic prohibition of usury, is to be repaid with interest within a fixed number of years’.<sup>1</sup> The idea does not, however, appear to have been put into effect.

In July 1924 it was reported :—

‘The present policy of the Afghan Government, besides being strongly protectionist in character, is unfavourable to the exploitation of the resources of the country by unofficial agency of any kind. The main considerations which seem to govern the attitude of the Amir towards any commercial enterprise appear to be a fear of foreign penetration, and a conviction that, if any profits are to be made in Afghanistan, the State should secure the lion’s share of them.’<sup>2</sup>

Article III of the contract with the Deutsch Afghanische Company is significant of the attitude of the Afghan Government towards foreign firms :—

‘The Minister of Commerce will forward to the Society a list of the names of the merchants with whom alone business may be transacted.’<sup>3</sup>

623. **Legislation affecting trade.**—In March 1923 the use by males of gold and silver ornaments and utensils was prohibited on grounds of Koranic law.<sup>4</sup>

In the following June the manufacture of the oriental type of shoe, and the cultivation, sale, or use of opium, tobacco, snuff, and charas were prohibited. These orders do not, however, appear to have been enforced.<sup>5</sup>

An order by the Amir prohibiting the wearing of foreign cloth by his subjects was reported in 1924, but was not apparently enforced outside the Court circle.<sup>6</sup>

The more important portions of the Afghan Customs Schedule are reproduced in Kabul despatches 41 of June 11, 1925 and 64 of August 13, 1926.

The presentation to the Amir by the merchants of Kandahar of a petition for the reduction of customs duties was reported in November 1925, and stated to have been favourably received.

624. **Introduction of decimal coinage, weights, and measures.**—

‘The old Kabuli rupee is superseded by the Afghans which is worth 100 Pul. Other silver coins are the 20 Pul and 50 Pul pieces, while there are three copper coins, whose value is 2, 5, and 10 Pul respectively. Two gold coins have also been minted, but not issued yet in any numbers—the Amani and half Amani. The Amani is worth 20 Afghani, but its real gold value is believed to be considerably less than this..... The Kabul public are extremely suspicious of the half Afghani which is said to contain 50 per cent. more alloy than it should’.<sup>7</sup>

In the following year it was reported that:—

‘Great progress has been made in the substitution of Afghani and half Afghani rupees for the Kabuli currency, which now amounts to little more than 10 per cent. of the actual coin in circulation..... Currency notes, to the value of ten, twenty, fifty, and one hundred Afghani rupees, are said to have been printed on presses imported from Germany..... Little progress has been made in the introduction of the decimal system for weights and measures. Though Government departments and a few local shopkeepers have adopted it, the general public remain firmly wedded to the old system of heterogeneous weights and measures.’<sup>8</sup>

625. **The State Companies.**—The first of these were organised by Ghulam Muhammad Khan, the Commerce Minister, who is believed to have had large private interests in them.

<sup>1</sup>Kabul despatch 2 (6-1-1923).

<sup>2</sup>Kabul despatch 91 (22-7-1924).

<sup>3</sup>Kabul despatch 41 (11-6-1925).

<sup>4</sup>Kabul despatch 30 (4-9-1923).

<sup>5</sup>Kabul despatch 91 (22-7-1924).

<sup>6</sup>Diary M. A., Kabul (15-11-1925) (5).

<sup>7</sup>Kabul despatch 64 (13-8-1926).

<sup>8</sup>Kabul despatch 65 (16-7-1927).

In 1926 the leading State Companies were reported as being :--

- ' (a) Shirkat-i-Amania, which deals in carpets, Astrakhan skins, wool, and lapis lazuli. This is the largest and oldest company, with a total capital of Rs. 15 lakhs the principal shareholders being the Afghan Government (Rs. 7 lakhs), and His Majesty (Rs. 3 lakhs).
- (b) Shirkat-i-Samar, which deals in dried fruits, sugar, and silver. Capital Rs. 12 lakhs.
- (c) Cinema and Photograph Company. Capital Rs. 4 lakhs.
- (d) Building Company. Capital Rs. 3 lakhs.
- (e) Company to encourage local industries. Capital Rs. 3 lakhs.
- (f) Electric Lighting Company. Capital Rs. 2 lakhs.
- (g) Shirkat-i-Baradar-i-Afghan—a General Trading Company. Capital Rs. 1½ lakhs.
- (h) Transport Company. Capital Rs. 1 lakh.

The Minister of Finance is chairman of most of the above companies, and the annual profit is said to be in the neighbourhood of 20 per cent.<sup>1</sup>

In the following year the formation of another company the Shirkat-i-Azim, dealing in medicines, with a capital of half a lakh was reported.<sup>2</sup>

In 1926 the Afghan Government signed an agreement with the 'Shirkat-i-Motor-Rani' [known as the 'Shirkat Company' (!) in the correspondence], under which the company was given a monopoly of the motor carrying trade between Torkham and Kabul. This brought forward as a practical issue the question raised in 1923 by the Gmeiner contract.<sup>3</sup>

Other activities of this company, such as the collection in Peshawar of 5 per cent. commission from Indian firms plying on the Kabul road, were also objectionable.

The matter is under discussion with the Afghan Government.<sup>4</sup>

**626. British and British Indian subjects.**—Mr. Herman, of Herman and Mohatta, an engineering firm of Karachi, visited Kabul in April 1923 but failed to do any business.<sup>5</sup>

In August 1923 a contract for the erection and management of a glass factory was reported to have been secured by an Indian Delhi firm (Swami Harchand of the Delhi Biscuit Factory).<sup>6</sup> In October 1926 the cost of the factory was reported to have been fixed at Rs. 2 lakhs and that of the plant at Rs. 30,000. Construction was put in hand and the manager of the firm [Messrs. Shami Brothers (?)] took an advance for the purchase of the machinery. He then proceeded to India, and up to July 1927 nothing more had been heard of him.<sup>7</sup>

In August 1923 Madans Theatres, Limited, sent a representative with cinematograph films to be shown for advertisement purposes.<sup>8</sup>

In October 1923, Mr. Newcome Wilson, of Herman and Mohatta, visited Kabul in connection with a contract for the construction of a telegraph line from Kabul to Kandahar.<sup>9</sup> The work was however subsequently carried out by Russian engineers, in accordance with the Russo-Afghan Treaty.<sup>10</sup>

In 1924 Abdul Wahid, a Shinwari, who had been naturalised as a British subject in Australia, obtained a concession for the working of the Kandahar goldmine and the ruby mines at Jagdallak. A preliminary fee of £10,000 is stated to have been paid for the concession, which in 1925 was reported to have been cancelled.<sup>11</sup>

In November 1925 a large contract for the supply of paper to the Afghan Government was reported to have been secured by an Indian merchant.<sup>12</sup>

<sup>1</sup>Kabul despatch 64 (13-8-1926).

<sup>2</sup>Kabul despatch 65 (16-7-1927).

<sup>3</sup>Para. 628.

<sup>4</sup>Memo. 203-F (1-9-1927), from G. of I. to C d'A., Kabul (F. 203-F., 14).

<sup>5</sup>Kabul despatch 12 (2-5-1923).

<sup>6</sup>Kabul despatches 25 (15-8-1923) and 30 (4-9-1923).

<sup>7</sup>Kabul despatch 65 (16-7-1927).

<sup>8</sup>Kabul despatch 30 (4-9-1923).

<sup>9</sup>Kabul despatch 91 (22-7-1924).

<sup>10</sup>Para. 403.

<sup>11</sup>Kabul despatch 41 (11-8-1925).

<sup>12</sup>Diary M. A., Kabul (27-11-1925) (7).

The project of an international syndicate for the exploitation of mines and the commercial development of Afghanistan, in regard to which S. Nadir Khan approached M. J. de Gunzburg in 1925, has been mentioned elsewhere.<sup>1</sup>

**627. Americans.**—The only American business man who has visited Afghanistan is Mr. W. B. Vanderlip, whose projects came to nothing.<sup>2</sup>

**628. Italians.**—As already mentioned, the Italian commercial mission, which accompanied the Italian Minister to Afghanistan in 1922, proved abortive.<sup>3</sup>

A contract was secured in 1923 by S. Gmeiner for carriage by motor transport of mails and passengers between Kabul and Peshawar. Article II of the contract granted a monopoly for the conveyance of goods and passengers between Kabul and Dakka, and it was therefore clearly a matter for consideration whether action would not have to be taken to protect the interests of Indian motor firms. His Majesty's Government were not consulted before the signature of the contract, which eventually fell through. The capital was to be provided by the Afghan Government and S. Gmeiner in the proportion of 40 to 60.<sup>4</sup>

In February 1923, SS. Lazzoni and Gorio visited Kabul, and established a sericulture business, which was afterwards supervised by S. Messi. Although local conditions were not unfavourable, little progress seems to have been made.<sup>5</sup>

S. Bernardi, an Italian from Tehran, arrived in 1923, and by obtaining an honorary post in the Ministry of Finance and becoming associated with the Amania Company,<sup>6</sup> succeeded in making large profits, mostly in sheeps' intestines (casings). His appointment as Interpreter and Attaché to the Italian Legation gave him further advantages over his German commercial rivals. He left Kabul in 1927 however, being unable to compete with 'the action of the Soviets in placing large stocks suddenly in the market.'<sup>7</sup>

**629. Germans**—The only foreign firm of any importance carrying on business in Afghanistan is the Deutsch Afghanische Company, which began as the German and Oriental Trade House, Bremen.<sup>8</sup> In 1925 this Company was reported to be 'financed entirely by German capital without at present any Afghan partners.... The principal activities of the Company are connected with Government contracts for the import of machinery, and for the transport of goods from Peshawar to Kabul'. The Manager, Dr. Ebner, was then particularly interested in lapis lazuli and mica.<sup>9</sup> When dismissed from the management of the Company,<sup>10</sup> Dr. Ebner began negotiations with Ghulam Muhammad Khan, ex-Minister of Commerce, with the idea of competing with the Company.<sup>11</sup>

The Trade despatch of 1927 does not mention other activities of the Company than those connected with the falsification of the accounts of material imported for Government works.<sup>12</sup>

The terms of the agreement made with the Company by the Afghan Government are given in Kabul despatch 41 of June 11, 1925. In the following July the agreement was revised, and a new clause required the Company to import goods of the same value as their exports, while it was not permitted, without the express permission of the Afghan Government to take in any partners or shareholders, or to dispose of any shares to another Company.<sup>13</sup>

**630. Trade with Russia.**—There is little definite information as to the condition of trade between Afghanistan and Russia, but it seems to have been entirely dislocated by the disturbances in Transcaspia, the revolution in Bokhara,

<sup>1</sup>Para. 340.

<sup>2</sup>Para 276.

<sup>3</sup>Para 272.

<sup>4</sup>Kabul despatches 2 (6-1-1923), 4 (12-1-1923), 6 (10-2-1923), 25 (15-8-1923), 30 (4-9-1923) and para 625

<sup>5</sup>Kabul despatches 7 (9-3-1923), 12 (2-5-1923), 25 (15-8-1923), 30 (4-9-1923) and 41 (11-6-1925).

<sup>6</sup>Para. 625.

<sup>7</sup>Kabul despatches 91 (22-7-1924), 41 (11-6-1925) and 65 (16-7-1927).

<sup>8</sup>Kabul despatch 91 (22-7-1924).

<sup>9</sup>Kabul despatch 41 (11-6-1925).

<sup>10</sup>Para. 343.

<sup>11</sup>Kabul despatch 64 (13-8-1926).

<sup>12</sup>Kabul despatch 65 (16-7-1927).

<sup>13</sup>Kabul Diary (24-7-1925) (6).

and the subsequent activities of the Basmachis. Negotiations for a 'Trade Agreement between Russia and Afghanistan were opened at Kabul on January 20, 1925, but do not yet appear to have been concluded:—

'The points in dispute are said to include a demand made by the Afghan delegates for 50 million roubles compensation from the Russian Government, for losses caused to Afghan subjects by the depreciation of the Russian rouble note. There are indications that the Soviet Government are at present endeavouring to develop their trade in Afghanistan by all possible means, and to oust the German and Italian firms who are struggling to obtain a footing.'<sup>1</sup>

The proposals for the establishment of a branch of the Vneshtorg, and a Russian bank in Afghanistan have so far come to nothing,<sup>2</sup> but in January 1926 the Central Asiatic Bank was reported to be operating through the Accountant of the Russian Legation.<sup>3</sup>

In 1926, Sir F. Humphrys wrote :—

'The Russian hopes, apart from their ambition to start a comprehensive banking business, are perhaps mainly based on oil and cotton. They have pushed the sale of oil at a price that leaves them no margin of profit, and appear to hope for some concession as regards cotton growing in North-Western Afghanistan. It is possible that the trade war which the Soviet has recently been waging in North Persia, and the general unpopularity of Vneshtorg agents in that country, may make the Afghans still more cautious in responding to their advances. Such expansion of Russo-Afghan trade as there has been during the last three or four years seems to have had political propaganda as its principal object. From all accounts the volume of business between Afghanistan and Russian Central Asia is far less to-day than it was before the war, while the through traffic from Bokhara to Peshawar via Kabul is said to be chiefly dependent on smuggling, and the entrepôt has been changed to Mazar-i-Sharif. The Russians hope that if their bank in Kabul materialises the trade in karakuli (Astrakhan) skins, which is now conducted through India and London, may be transferred to Moscow.'<sup>4</sup>

Major Harvey Kelly in his report on his tour in Northern Afghanistan from June to August 1925 wrote :—

'Mazar-i-Sharif is a busy centre for wholesale trade..... The retail bazar is small, and carries little stock. The principal articles dealt with wholesale are piece-goods, green tea, karakuli skins, Merv carpets, Russian iron cooking-pots, and Russian oil. In the retail trade, while necessaries are expensive, luxuries from Russia (e.g., glass tumblers, goloshes, and so on) are much cheaper than those from India in Kabul.'<sup>5</sup>

At the close of 1926 a merchant from Herat stated that the Russians in that district were selling sugar, oil, chinaware, and cloth, and purchasing wool and skins.<sup>6</sup> Major Dodd writes in regard to Herat, which he visited in the spring of 1927 :—

'Very little Russian trade was noticeable in the bazar, the vast majority of the cloth for sale coming from English markets. The sugar was all Russian, and there was a predominance of Russian oil; matches, which throughout Afghanistan are generally imported from Russia, were here British or Swedish, and the tea was Lipton's or Brooke Bond's. Russian cigarettes and sweets were obtainable, but were expensive, and in consequence the Persian cigarette has by far the largest sale. The bazars as throughout Afghanistan, were flooded with inferior Russian china. With the exception of this, the small quantity of Russian imported goods for sale in the bazar was very remarkable.'<sup>7</sup>

In January 1927, the Kabul bazar was reported to be flooded with Russian matches sold at 15 boxes for a Kabuli rupee as against 10 Indian for the same price.<sup>8</sup> A consignment of petrol, estimated at 2,000 gallons, reached Kabul about the same time.<sup>9</sup>

**631. Trade with India.**—The following tables show the value of imports from, and exports to, Afghanistan for the years from 1916-17 to 1924-25. (The

<sup>1</sup>Kabul despatch 41 (11-6-1925).

<sup>2</sup>See paras. 407 and 413.

<sup>3</sup>Diary M. A., Kabul (1-1-1926) (4).

<sup>4</sup>Kabul despatch 64 (13-8-1926).

<sup>5</sup>Kabul despatch 11 (1-2-1926).

<sup>6</sup>Diary M. A., Kabul (1-1-1927) (5).

<sup>7</sup>Kabul despatch 72 (20-8-1927).

<sup>8</sup>Diary M. A., Kabul (15-1-1927) (6). (In this connection it may be noticed that a match factory is being constructed at Kabul.)

<sup>9</sup>Diary M. A., Kabul (15-1-1927) (6).

figures for the years after 1924-25 are not available, owing to a change in the system of registration.)

Import.	To Sind and British Baluchistan.		North West	Punjab. Rs.	Total. Rs
	Rs.	Frontier Province.			
1916-17	..	..	135,01,542	36,30,522	171,57,408
1917-18	..	..	108,14,024	63,70,065	172,11,525
1918-19	..	..	99,55,417	79,19,651	179,07,368
1919-20	..	..	158,59,343	137,41,308	296,28,883
1920-21	..	..	108,28,618	23,47,766	132,85,088
1921-22	..	..	60,22,442	19,50,498	80,95,200
1922-23	..	..	119,11,519	40,99,904	160,61,623
1923-24	..	..	84,63,146	7,92,669*	177,644
1924-25	..	..	117,03,459	50,76,383	167,95,222

\*Exclusive of the figures for the months of July 1923 to February 1924 for which returns were not received.

Export.	From Sind and British Baluchistan.		North West	Punjab. Rs.	Total. Rs.
	Rs.	Frontier Province.			
1916-17	..	..	85,62,720	86,05,730	172,53,702
1917-18	..	..	80,00,363	102,73,052	188,71,521
1918-19	..	..	156,35,297	146,11,246	303,07,081
1919-20	..	..	156,88,929	83,11,380	241,09,904
1920-21	..	..	124,15,771	27,62,087	154,31,842
1921-22	..	..	109,65,631	17,60,931	135,37,330
1922-23	..	..	104,38,725	50,71,611	157,52,366
1923-24	..	..	101,88,456	70,20,982*	172,58,538
1924-25	..	..	142,28,453	135,91,323	278,19,776

\*Exclusive of the figures for the months of July 1923 to February 1924 for which returns were not received.

#### Treasure.

	Imported, to North West	Exported from North West
	Frontier Province.	Frontier Province.
1916-17	..	354,500
1917-18	..	497,500
1918-19	..	679,740
1919-20	..	29,930
1920-21	..	..
1921-22	..	..
1922-23	..	417,789
1923-24	..	..
1924-25	..	82,530

632. **The prospects of trade in Afghanistan.**—The attitude of the Afghan Government, and the advantage which it affords to the State Companies, are serious obstacles to commercial enterprise on the part of foreigners.<sup>1</sup>

In 1924 it was reported :—

'It is difficult to discover in the conditions, political or economic, at present prevailing in this country, a single feature favourable to the early expansion of its foreign trade. The obstacles on the other hand to such expansion are numerous, and of these the chief appear to be :—

- (1) Lack of communications within Afghanistan itself, and with the outside world.....
- (2) Political instability.....
- (3) The defencelessness of aliens in this country.'<sup>2</sup>

<sup>1</sup>See paras. 622, 625.

<sup>2</sup>Kabul despatch 91 (22-7-1924).

In the following year it was stated :—

' No material progress has been made towards removing any of these obstacles . . . . . a further obstacle to any trade expansion in Afghanistan is the imposition of unreasonable restrictions upon imports and exports. The tariffs are exceedingly high . . . . and they are rendered more oppressive by the rapacity and obstructive tactics of the officials who administer the Department.'<sup>1</sup>

In August 1926, Sir F. Humphrys wrote :—

' The condition of the trade of the country with the outer world remains substantially unchanged, though there is a noticeable influx of cheap German and Japanese goods through India. In the regions north of the Hindu Kush line, trade naturally flows towards Russian Central Asia, and in the north east corner there is some commercial intercourse with China, chiefly in smuggled opium. South of the Hindu Kush, trade flows, as it has done for centuries, by the main routes to India. . . . Little can be done to stimulate this natural flow until the main arteries of communication. . . . are improved . . . . The chaotic condition of the criminal law, the non-existence of commercial or contract law as understood in civilised countries, the uncertainty with regard to local taxation, particularly income tax, which is said to be under the consideration of the Afghan Government, the total absence of banking or exchange facilities, and the almost entire lack of suitable house accommodation, and the ordinary amenities of life—all these combine to make a business career in Afghanistan an unattractive gamble to the foreigner.'<sup>2</sup>

In 1927 conditions were reported to be unchanged.<sup>3</sup> To these obstacles may be added the unpunctuality of the Afghan Government in matters of payment, as evidenced in the cases of the claims of Burn and Company and Yost and Company,<sup>4</sup> and of the arms supplied to them by the Government of India in 1924;<sup>5</sup> its attitude on the question of 'national' treatment;<sup>6</sup> and the indifferent business reputation enjoyed by the Afghan trader :—

' A representative of a Bombay cotton firm, who recently visited this country, declared that wholesale trade with Kabul was a pure gamble, owing to the uncertainty of payment.'<sup>7</sup>

**633. Commercial matters dealt with in the Treaty of 1921.** Article VII (first paragraph) deals with 'State goods'. The concession given in respect of this class of goods was granted in 1894, as 'a special and personal concession' to the Amir Abdur Rahman,<sup>8</sup> and was continued to Amir Habibullah Khan on his accession.<sup>9</sup>

An instance in which the concession appeared to have been abused by the present Amir is mentioned elsewhere.<sup>10</sup>

**634. Article VII (second paragraph) and Article IX** deal with the free transit of 'trade goods', and their repacking at Jamrud, in the Kurram, and at Chaman, for onward transport to Afghanistan.

The basis of these provisions is to be found in the Mussoorie *Aide Memoire* 4 (h)<sup>11</sup>, in which a refund of seven-eighths of the customs duty was contemplated, on the lines on which similar rebates were granted on goods transiting India by land to other countries.<sup>12</sup>

The India Office pointed out in regard to this clause that 'it would be undesirable to include in a Treaty with Afghanistan a provision relating to freedom of transit inconsistent with the provisions of any international convention on the subject to which India adhered,' and proposed the addition of a saving clause to cover the point.<sup>13</sup> The Board of Trade agreed.<sup>14</sup>

<sup>1</sup>Kabul despatch 41 (11-6-1925).

<sup>2</sup>Kabul despatch 64 (13-8-1926).

<sup>3</sup>Kabul despatch 65 (16-7-1927).

<sup>4</sup>Progs of the 16th Meeting, Mussoorie.

<sup>5</sup>Para. 542

<sup>6</sup>Para. 644.

<sup>7</sup>Kabul despatch 64 (13-8-1926).

<sup>8</sup>Letter 1335-1337-F. (19-6-1894), from G. of I. (Progs., July 1894, 390).

<sup>9</sup>Tel. 2995-F. (4-11-1901), from G. of I. (Progs., Dec. 1901, 38).

<sup>10</sup>Para. 538.

<sup>11</sup>Para. 99

<sup>12</sup>Minute by Sir H. Dobbs (11-4-1920) (Progs., Oct. 1920, n p. 43).

<sup>13</sup>Letter P.-7300 (3-11-1920), from I. O. to B. of T. (A. S. IV, 674).

<sup>14</sup>Letter C. R. T-3800 (1-12-1920), from B. of T. to I. O. (*ibid.*, 717).

The Government of India accepted the proposal for a saving clause, but remarked :—

' Under present conditions trade with Afghanistan is carried on by road, and traffic of this sort is excluded from the provisions of the Draft Convention on Freedom of Transit. It is, however, possible that Afghanistan may sooner or later be linked up with India by rail, and if and when this occurs, the Convention should apply, if it is adopted by a General Conference of the members of the League of Nations, and adhered to by Afghanistan (*vide* clause 6 of draft), and ratified by India. We do not however believe that there is any prospect of Afghanistan adhering to Convention within any period which we can foresee, since it is almost certain that, even if she had through railway between India and Persia or Central Asia, she would refuse to give up transit dues, on which she is largely dependent. In reality therefore the question is an academic one '<sup>1</sup>

The point was further discussed in telegram 669 of February 1, 1921, from the Secretary of State,<sup>2</sup> and the saving clause appeared in Sir H. Dobbs 'pis aller' draft of February 1921 (clause IX).<sup>3</sup>

It dropped out however when, in the final stage of the negotiations, full rebate was granted, and in return the conditional exclusion of the Eastern Consulates was secured under Letter III attached to the Treaty.<sup>4</sup>

Recently however the Afghan Government have shown signs of taking up the attitude that they are entitled to free transit without any *quid pro quo* :—

' He had instructed the Afghan Minister in London to represent that, in accordance with the general principles of international law and practice, it was anomalous that Afghanistan should be denied complete freedom of transit for trade goods in sealed wagons through India..... I added that..... His Excellency possibly had in view the provisions of the Barcelona Convention, to which Afghanistan was not a party. The Foreign Minister replied..... that at the time the Treaty was signed, Afghan statesmen had no experience of international law or custom.'<sup>5</sup>

**635. The position of India *vis à vis* Afghanistan in regard to the Barcelona Convention.**—Although in their letter 1-F. of August 20, 1925<sup>6</sup> the Government of India had stated 'The rights enjoyed by the Afghan Government are not founded on any international Convention but on the Treaty itself', the Afghan Foreign Minister's contention led to a re-examination of the bearing on the question of the Barcelona Convention, and the point is still under discussion. Subject to correction however, tentative conclusions on the point may be stated as follows :—

- (1) Freedom of transit is not a general international usage, but is created by agreement between States—in this case, all States which have ratified the Barcelona Convention.
- (2) The Barcelona Convention applies only to traffic ' by rail or waterway on routes in use convenient for international transit ', but it would be contrary to the spirit of the Convention to deny transit facilities to Afghanistan at least at Chaman and Landi Khana, where railhead is within sight of the frontier, on the ground that there was a transfer from rail to road.
- (3) Afghanistan is not a party to the Convention, but might become a party under Article 5 of the Convention, while under Article 6 any Contracting State might, for valid reason shown, claim freedom of transit for goods consigned by it to Afghanistan.
- (4) ' Traffic in transit ' would cover goods which were consigned from a place outside India to Afghanistan, and which were transhipped or warehoused or broken in bulk during passage through India.<sup>7</sup>

<sup>1</sup>Tel. 1431 (15-12-1920), from Viceroy, to S. of S. (A. S. IV, 693).

<sup>2</sup>(A. S. IV, 795).

<sup>3</sup>(A. S. V, 26).

<sup>4</sup>See tel. 301 (20-9-1921), from Br. Rep., Kabul, to G. of I. (A. S. VI, 325).

<sup>5</sup>Kabul despatch 51 (13-5-1927) (A. S. XXI, 243-A).

<sup>6</sup>(A. S. XVIII, 262).

<sup>7</sup>Notes in 101-F. 1926, and see para. 692.

**636. The one-eighth reservation.**—The reservation of one-eighth of the customs duty had originally been made ‘as recompense for the work of customs registration’,<sup>1</sup> but Sir H. Dobbs reported from Mussoorie that:—

‘They allege with truth that, in similar circumstances, rebate of whole import duty has always been granted by Russia, which country has furthermore granted bounty on exports of Russian manufactures to Afghanistan.<sup>2</sup> Afghans appear to regard the proposed one-eighth deduction as detracting from generosity of offer, and as being peculiarly vexatious.’<sup>3</sup>

The Government of India in reply said :—

‘If for political reasons such a course is expedient Government of India would be prepared to agree to refund of the whole duty but they would prefer to retain the principle of granting a rebate of seven-eighths only’.<sup>4</sup>

It was noted that a rebate of the whole duty was allowed on exports to Kashmir and Turkistan,<sup>5</sup> and the point, as has been already mentioned, was eventually conceded by Sir H. Dobbs.<sup>6</sup>

**637. Article VII (third paragraph)** provides for freedom from customs duty of goods or livestock, of Afghan origin or manufacture, imported by land or river into India, or transiting India from Afghanistan, subject to the condition that, if such duty is in future levied on goods from other countries, goods from Afghanistan will become liable to similar but not higher duties. Khyber tolls and octroi in Indian towns are excepted from these provisions.

These provisions were based on 4 (i) of the Mussoorie *aide memoire*,<sup>7</sup> and gave rise to some difficult questions.

The Board of Trade held that this concession would infringe the most favoured nation clauses in the Treaties with France, the Netherlands, Belgium and other countries.<sup>8</sup>

The point was brought by His Majesty’s Government to the notice of the Government of India,<sup>9</sup> who in reply distinguished the case of goods crossing land frontiers, (*e.g.*, to Tibet and China) from that of goods crossing the frontiers of foreign settlements in India and the territories of certain Ruling Princes, which had access to the sea.<sup>10</sup>

This view was discussed in India Office letter to the Board of Trade, P.-7300 of November 3, 1920<sup>11</sup> in which it was remarked:—

‘There is a choice of three courses :—

- (1) To excise 4 (i) from the Treaty with Afghanistan.....
- (2) To explain the position at once to the Powers having commercial Treaties with His Majesty’s Government entitling them to “most favoured nation treatment” in India and invite their concurrence.... To this course there seem to be grave objections.
- (3) To proceed with the Treaty with Afghanistan as now proposed when opportunity affords, and trust that no inconvenient claim will be raised by any other Power : in the event of such claim being raised, to take the line that in the commercial Treaties in question “importation” had always been interpreted as “importation by sea”, that no reference has previously been made to the long existing practice of exempting from duty goods imported by land from neighbouring countries, and that His Majesty’s Government is willing at any time to revise the Treaty to make clear the fact that import by sea alone is in question, as is evident from the general sense.’

The Government of India remarked :—

‘In our opinion the third alternative is obviously the one that should be followed’<sup>12</sup>

The Board of Trade agreed that this alternative was ‘probably the least objectionable’.<sup>13</sup>

<sup>1</sup>Mussoorie *aide memoire* 4 (h), para 99.

<sup>2</sup>See Russo-Afghan Treaty Art VI (para 718)

<sup>3</sup>Tel. 88 (12-7-1920) (Progs. Jany. 1921, 68)

<sup>4</sup>Tel. 853 (12-7-1920), from G. of I., to Ch Br Rep (*ibid.*, 84).

<sup>5</sup>Progs. Jany. 1921 (n p. 19).

<sup>6</sup>Tel. 393 (22-11-1921), from Br. Rep, Kabul, to G. of I. (A. S. VI, 567).

<sup>7</sup>Para. 99

<sup>8</sup>Letter from B. of T., to I. O., P.-6870 (13-9-1920) (A. S. IV, 671).

<sup>9</sup>Tel. 672 (17-8-1920), from S. of S., to Viceroy (*ibid.*, 595)

<sup>10</sup>Tel. 1154 (29-9-1920), from Viceroy, to S. of S (*ibid.*, 616).

<sup>11</sup>(*Ibid.*, 674).

<sup>12</sup>Tel. 1431 (15-12-1920), from Viceroy, to S. of S (*ibid.*, 693)

<sup>13</sup>Letter C. R. T.-3800 (1-12-1920), from B. of T., to I. O. (*ibid.*, 717).

A question as to the practical interpretation of this Article arose in 1923, in connection with a proposal to impose an import duty on timber entering the North-West Frontier Province by river from Afghanistan.

Sir F. Humphrys, on being asked his opinion, maintained that 'neighbouring States' meant sovereign and independent States adjoining India, and not such areas as Dir and Swat, and that consequently the duty suggested could not be imposed except as part of a general tariff actually imposed on the same imports from all neighbouring States, e.g., Nepal, Tibet, etc. After lengthy discussions this view was in the main accepted, and the proposal was dropped.<sup>1</sup>

It was noted that the wording of the Article was obscure, and that the point would have to be investigated in connection with the drafting of any new Treaty.<sup>2</sup>

In June 1923 a complaint was received from the Afghan Government regarding the detention by the Halimzai Mohmands of timber rafts on the Kabul river.<sup>3</sup>

The grievance was thought to be in fact directed against the tolls which the Tarakzai and Halimzai Mohmands had collected for a long time; their right to do so having been recognised both by the British and the Afghan Governments. It was held that Article VII of the Treaty 'cannot operate as a bar to the levy of these tolls'.<sup>4</sup>

**638. The Khyber tolls.**<sup>5</sup>—The question of the abolition of these tolls was raised in 1926 by Sir F. Humphrys who wrote :—

'These tolls are regarded as a serious nuisance by all through travellers between Afghanistan and India, who make use of the Khyber Pass, and they not unfrequently give rise to petty but irritating disputes between the British Legation and the Afghan Government, and to misunderstandings with my foreign colleagues. ....the abolition of unnecessary obstacles to free trade and intercourse on such a route should, I think, be a definite object of policy.....it is one of the few reasonable concessions which still remain for us to grant the Afghans, either when a new treaty is negotiated, or on any favourable occasion that might present itself.'<sup>6</sup>

The Chief Commissioner, N.-W. F. P., wrote :—

'The abolition of the Khyber tolls is really a concession to Afghanistan, and would, I think, be regarded as such, and it seems undesirable to give it without a *quid pro quo*'.<sup>7</sup>

The average annual receipts for six years were shown to be Rs. 1,13,500.

The decision of the Government of India was :—

'The Government of India .....are not now in principle averse from the proposed abolition of the tolls, but..... are not prepared to take this step, which in effect amounts to a concession to Afghanistan, except in return for a counter concession which they can accept as of at least equivalent value'.<sup>8</sup>

In September 1926, at the request of the Afghan Government, the Khyber route was opened for caravan traffic on every day of the week during the cold weather, as an experimental measure. It was not however considered advisable to alter the existing practice in the hot weather of opening it for only one day in the week.<sup>9</sup>

**639. Article VIII. Trade Agents.**—In the time of previous Amirs there had been un-official agents at Bombay and Karachi, who had looked after the interests of Afghan pilgrims and acted as forwarding agents for the Amir.<sup>10</sup>

It was noted, at the time of the Rawalpindi negotiations, in regard to the Bombay agent :—

'We know that he has been trying to magnify his position by styling himself 'Representative', and giving public banquets in honour of the Amir; and the opportunity seems to have arrived to insist on all these Agents being treated strictly as nothing more than brokers and trade Agents.'

<sup>1</sup>(F. 527-F., 1923).

<sup>2</sup>Minute by For. Secy. (30-10-1924) (F. 537-F., n. p. 15).

<sup>3</sup>Kabul memo. 209 (18-6-1923), (F. 555-F. 1).

<sup>4</sup>Memo 555-F. (14-1-1924), from G. of I., to Min., Kabul (*ibid.*, 3).

<sup>5</sup>For the origin of these see Windham's précis (para. 290) and F. 217-F., 1926, n. p. 1.

<sup>6</sup>Kabul letter 182/4 (6-8-1926) (F. 217-F., 1926, 1).

<sup>7</sup>Memo. 2036 (22-10-1926) from N.-W. F. to G. of I. (*ibid.*, 7).

<sup>8</sup>Letter 217-F.-26 (11-4-1927), from G. of I., to C. d'A., Kabul, (*ibid.*, 11).

<sup>9</sup>Memo. 216-F. (10-9-1926), from G. of I., to N.-W. F. (F. 216-F., 4).

<sup>10</sup>Progs., Jan. 1921, n. p. 18.

The appointment of Afghan Trade Agents at Bombay and Peshawar was discussed at the Sixth Meeting of the Rawalpindi Conference,<sup>1</sup> and at the Mussoorie Conference a request was put forward by the Afghan delegates for permission to establish trade agencies at Quetta, Peshawar, and Parachinar.<sup>2</sup>

Sir H. Grant agreed in the case of Peshawar, but said :—

‘ It is not desirable that there should be a recognised Afghan Agent in Parachinar.’<sup>3</sup>

The Agent to the Governor General, Baluchistan had no objection to a trade agency at Quetta, provided that a British Trade Agent was admitted to Kandahar.<sup>4</sup>

Accordingly in the *rade memoire* 4 (?), the possibility of permission being accorded to the establishment of trade agencies, at Peshawar and Quetta only, was indicated.<sup>5</sup>

The Trade Agency at Parachinar reappeared in the first Afghan draft Treaty presented at Kabul,<sup>6</sup> and the objection to it was waived.<sup>7</sup> Attention was called to the point in Kabul despatch 56 of December 4, 1923,<sup>8</sup> and was then referred Sir N. Bolton, who considered that in the next Treaty negotiations permission for this Trade Agency should only be given in return for a *quid pro quo*.<sup>9</sup>

**640. Afghan rules (Nizamnama) for Trade Agents.**—The rules governing the conduct of Trade Agents issued by the Afghan Government were forwarded with Kabul despatch 68 of July 30, 1927.

*Prima facie* it appeared that Rules 4 and 12 were open to objection :—

‘ (4) A trader . . . must however always obtain a certificate of despatch (sanad-i-arsali) signed by the Trade Agent for imports, otherwise the goods will be treated as smuggled, and will be confiscated and dealt with according to the Customs Code.’

‘ (12) As Couriers of Foreign countries cannot obtain naturalisation certificates the Sar Jama has therefore nothing to do with them at all. The Trade Agent will satisfy himself with regard to such persons, after enquiring from their headmen, and act in accordance with the rules specified above.’

The question is still under examination.

**641. British Trade Agencies in Afghanistan.**—The Government of India regarded as desirable the admission of a right to reciprocity in the matter of Trade Agencies,<sup>10</sup> and the ‘ Maximum ’ draft provided for this. The ‘ Minimum ’ draft provided for Trade Agencies to be established subsequently by reciprocal agreement, on condition that the frontier remained free from disturbance for a year.<sup>11</sup>

The localities suggested for British Trade Agencies were Gardez, and Chakansur or Rudbar<sup>12</sup>

In the subsequent discussions between the Amir and Sir H. Dobbs the Afghan Trade Agencies were reintroduced by name into the Treaty, and ‘ after much discussion I consented at Amir’s earnest request not to press at present for second sentence regarding British Trade Agencies ’.<sup>13</sup>

Article VIII of the Treaty, as finally signed, consequently gives the Afghan Government a onesided concession in the matter.

The Afghan Trade Agents joined their posts in March 1922.<sup>14</sup>

**642. The question of an Afghan Trade Agent at Chaman.**—In May 1922, the Quetta Trade Agent asked for permission to reside for two months at

<sup>1</sup>Progs., Oct 1920, 797.

<sup>2</sup>Tel 88 (6-7-1920), from Ch. Br. Rep., to G. of I. (Progs. Jan. 1921, 68 and see Progs. of the 15th Meeting)

<sup>3</sup>Tel 122 (8-7-1920), from N.-W. F. to G. of I. (Progs., Jan 1921, 74).

<sup>4</sup>Tel 336 (8-7-1920), from Baln., to G. of I. (*ibid*, 78).

<sup>5</sup>Para 99.

<sup>6</sup>Tel 14-C (21-1-1921), from Br Rep., Kabul, to G. of I. (A. S. IV, 55) and see A. S. V, 26 (Cl. XI).

<sup>7</sup>Tel. 281 (28-2-1921), from G. of I., to Br Rep., Kabul (A. S. V, n. p. 13).

<sup>8</sup>(A. S. XI, 40)

<sup>9</sup>Memo 676 (8-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 187).

<sup>10</sup>Tel. 281 (28-2-1921), from G. of I., to Br Rep., Kabul (A. S. V, n. p. 13).

<sup>11</sup>(A. S. VI-174-A.)

<sup>12</sup>Tel 59 (4-3-1921), from Rep., Kabul, to G. of I. (A. S. V, 47).

<sup>13</sup>Tel 377 (16-11-1921), from Br Rep., Kabul, to G. of I. (A. S. VI, 516).

<sup>14</sup>Tel. 1182-1187 (23-3-1922), from P. A., Khyber, to G. of I. (A. S. VII, 224, 225).

Chaman, where he had been 'verbally ordered' to make his headquarters.<sup>1</sup> Permission was accorded for a visit of two months only.<sup>2</sup>

It was then reported that the Trade Agent was imposing fines and confiscating goods at Chaman, in cases in which the Afghan restrictions on export from Afghanistan were being infringed. His presence in Chaman was said to be 'having a disturbing effect on the people, both politically and commercially.'<sup>3</sup>

The permission for him to reside at Chaman was then cancelled and he was warned :—

'that if ..... he infringes the provisions of Article VIII, under which trade agents are expressly denied any official or special privileged position, the Government of India will be forced to lay the facts before the Afghan Government.....and to ask for his immediate recall'<sup>4</sup>

The question was raised again, but without success, by the Afghan Delegates at the Trade Conference of 1922-23 at Kabul.<sup>5</sup>

In April 1926, the Agent to the Governor General in Baluchistan called attention to the undesirable activities of M. Ghulam Farukh, the Afghan Border Examiner appointed under Schedule B of the Trade Convention.<sup>6</sup> Mr. Khudadad Khan was then appointed to succeed Ghulam Farukh, but was later stated to be the Trade Agent, allowed by the Treaty to reside at Quetta. He was given a visa for Quetta accordingly.<sup>7</sup> On arrival he demanded to be allowed to reside at Chaman, and when permission was refused he left for Afghanistan. Meanwhile the refund work in connection with exports to Afghanistan was at a standstill.<sup>8</sup>

The question was then raised with the Minister at Kabul by the Commerce Minister. Sir F. Humphrys suggested 'that some private person should be authorised to deal with the goods, but he should be careful not to style himself Trade Agent or by any other official title.'<sup>9</sup> The Trade Agent's clerk was then allowed to reside at Chaman for a period of three months.<sup>10</sup>

The Afghan Foreign Minister then wrote officially to Sir F. Humphrys stating 'the reasons which render it necessary that the Afghan Trade Agent should reside at Chaman', and asking that 'the word 'Quetta' which is mentioned in the Treaty, may please be changed to 'Chaman'.<sup>11</sup> About the same time representations were made on the subject by the Afghan Minister in London.<sup>12</sup> The Government of India were prepared to allow the Trade Agent's clerk to reside at Chaman as a 'Sar-i-Jama' on certain conditions, the Trade Agent himself to remain at Quetta, and the Afghan Border Examiner (appointed under Schedule B of the Treaty) in Afghan territory. The Border Examiner however might be allowed to reside at Chaman for six months, until the Afghan Government had made permanent arrangements.<sup>13</sup>

Further complaints however were received regarding the activities of the Afghan Trade Officials at Quetta and Chaman, and announcement of the proposed concessions was deferred.<sup>14</sup>

On a further application the Trade Agent's clerk was allowed to reside at Chaman for a further three months, and to act as a Border Examiner during that period.<sup>15</sup>

The question was discussed in Kabul despatch 51 of May 13, 1927,<sup>16</sup> in which instructions on the point were requested from His Majesty's Government, and was one of the points mentioned in the note presented by the Afghan Minister in London on May 31, 1927:—

'No reply had been received. ....regarding their request that the Trade Agent should be moved from Quetta to Chaman'.<sup>17</sup>

<sup>1</sup>Letter 1490 (18-5-1922), from Balm., to G. of I. (A. S. VII, 349).

<sup>2</sup>Memo 600-2 (26-5-1922), from G. of I., to Balm. (*ibid.*, 364).

<sup>3</sup>Memo 92-2 (27-6-1922), from Balm., to G. of I. (*ibid.*, 468).

<sup>4</sup>Memo 801 (16-7-1922), from G. of I., to Balm. (*ibid.*, 503).

<sup>5</sup>Para 645

<sup>6</sup>Memo. 1111 (12-4-1926), from Balm., to G. of I. (F. 101, 1926, 1).

<sup>7</sup>Kabul tel. 371 (15-7-1926) (*ibid.*, 9).

<sup>8</sup>Memo. 27-P.Q (22-8-1926), from Balm., to G. of I. (*ibid.*, 11).

<sup>9</sup>Kabul memo. 475|4 (4-9-1926) (A. S. XX, 187-A).

<sup>10</sup>Kabul tel. 450 (11-10-1926) (F. 101, 18).

<sup>11</sup>Kabul despatch 101 (16-10-1926) (*ibid.*, 19).

<sup>12</sup>(*Ibid.*, 25).

<sup>13</sup>Tel. 175 (26-1-1927), from Viceroy, to S. of S. (*ibid.*, 27).

<sup>14</sup>Kabul memo. 567|3 (31-1-1927) (*ibid.*, 39).

<sup>15</sup>Memo. 468 (3-5-1927) (*ibid.*, 39).

<sup>16</sup>(*Ibid.*, 47).

<sup>17</sup>F. O. tel. 35 (4-6-1927) (A. S. XXI, 266) and see para. 690 (13).

In January 1927, an intimation was sent by the Afghan Foreign Office to the British Legation that in future no goods, except bedding, could be imported to Afghanistan through Dakka, unless covered by a permit, called 'ilm-o-khabar'<sup>1</sup> from the Afghan Trade Agent at Peshawar. This innovation was resisted on the ground that, apart from all question of diplomatic privilege, its acceptance would involve an admission, contrary to Article VIII of the Treaty, that the Afghan Trade Agent had an official position.<sup>2</sup>

643. Article XII provided for the conclusion of a Trade Convention to arrange for the matters mentioned in Article IX, and 'regarding commercial matters, not now mentioned in this Treaty, which may appear desirable for the benefit of the two Governments.'

The Trade Convention was concluded on June 5, 1923, and was limited strictly to matters necessary to give effect to the Treaty, *viz* :—

(a) For free transit of State goods.

Certification by Afghan Consul at port of entry, and by a Frontier Customs Officer at the Indo-Afghan Frontier.

(b) For refund in the case of trade goods.

Declaration by importer of trade goods at the port of entry, repacking at railhead under supervision of a Frontier Customs Officer, and certification at the Indo-Afghan border by a Border Examiner.

The main questions brought forward by either side may be briefly noticed.

644. British demands.—The British draft convention contained four articles, the provisions of which went beyond the requirements of the Treaty itself.

These were :—

(a) Providing for reciprocal freedom of commerce, and 'national' as well as 'most favoured nation' treatment, in respect of taxes, imports, or obligations of any kind.

It was noted that it was 'customary to accord this treatment as between civilised countries.'<sup>3</sup> The Afghan Government were not prepared to grant this concession, as they intended to discriminate in taxation against foreign traders.<sup>4</sup> Great importance was attached to the point by the Government of India.<sup>5</sup>

The *quid pro quo* to be offered for it was concession of point 9 of the Afghan demands.<sup>6</sup>

It was finally refused by the Afghan delegates.<sup>7</sup>

(b) Providing for 'most favoured nation treatment' in respect of privileges, favours, or immunities.

(c) Providing for 'most favoured nation treatment' in respect of import duties.

The Afghan delegates were prepared to concede these two points, but were afraid of being entrapped into an admission that Great Britain was *the* most favoured nation, and a change in phraseology was proposed accordingly.<sup>8</sup> They subsequently withdrew their consent.<sup>9</sup>

(d) Providing for 'most favoured nation treatment' in respect of export duties.

The Afghan delegates were not prepared to concede this, on the ground that Afghanistan was not a single economic unit, and therefore required a system of provincial export tariffs.<sup>10</sup> Sir F. Humphrys considered that this system did not contravene the most favoured nation principle.<sup>11</sup>

645. Afghan demands.—The Afghan delegates made the following requests under Article XII of the Treaty; for

<sup>1</sup>Kabul memo. 567/3 (31-1-1927) (F. 101-F, 39).

<sup>2</sup>Tel 1485 (18-12-1922), from G. of I., to Min., Kabul (F. 188-F, 103).

<sup>3</sup>Kabul tel 111 (14-4-1923) (*ibid*, 158).

<sup>4</sup>Tel 322 (21-3-1923), from G. of I., to Min., Kabul (*ibid*, 154).

<sup>5</sup>Para 645.

<sup>6</sup>Kabul tel 111 (14-4-1923) (F. 188-F, 158).

<sup>7</sup>Tel. 56 (12-1-1923), from Viceroy, to S. of S. (*ibid*, 126).

<sup>8</sup>Tel. 535 (26-4-1923), from G. of I., to S. of S. (*ibid*, 161).

<sup>9</sup>Kabul tel 111 (14-4-1923) (*ibid*, 158).

<sup>10</sup>Kabul tel. 41 (14-4-1923) (*ibid*, 157).

(1) Transfer of headquarters of Quetta Trade Agent to Chaman,

(2) Permission for a trade representative to reside at Dera Ismail Khan. These requests were not accepted.<sup>1</sup>

(3) Substitution of a security bond for actual payment of duty on importation of trade goods.

His Majesty's Government had no objection, but it was regarded as a considerable concession in principle.<sup>2</sup>

This concession however dropped out when the Afghan Government refused to grant 'national', and 'most favoured nation' treatment, and the Convention was in consequence limited to the requirements of the Treaty.

(4) The assurance, given against enhancement of Khyber tolls in Article VII of the Treaty, to extend also to octroi duties.

No such extended assurance could be given.<sup>3</sup>

(5) Substitution of Peshawar for Jamrud, and of Thal for Parachinar, in Article IX of the Treaty.

Permission was given for bulk to be broken at Thal, instead of at Parachinar, and at Peshawar instead of Jamrud.<sup>4</sup>

(6) The appointment of subordinates to the Trade Agent at Chaman at certain places in Baluchistan for preventive purposes.

This request was refused, as 'Afghan preventive staff cannot be allowed to function in India'.<sup>5</sup>

(7) The appointments of subordinates to the Trade Agents at Chaman and Parachinar, at Quetta and Thal respectively.

Purely unofficial representatives were allowed to be employed at Thal, Jamrud, and Chaman, but on the understanding that they were not recognised, and could not exercise preventive functions.<sup>6</sup>

(8) A concession in regard to railway fare and freight similar to that granted *via* Nushki to Persian traders.

The Government of India stated that the 'same concessions are being enjoyed by Afghan trade as are given to Persian trade transiting *via* Nushki',

'Most favoured nation clause is satisfied thereby. This clause does not warrant extensions of indefinite nature on other routes.'

The question of establishing a rebate system at Kunduz was discussed.<sup>8</sup>

(9) Refund of duty on goods purchased in India.

The Government of India were prepared to grant this concession in the event of 'most favoured nation treatment' being secured,<sup>9</sup> but it dropped out with the Afghan refusal of the 'full draft'.

Mr. Nind pointed out that the Afghans would be able to claim this concession if 'most favoured nation treatment' was reciprocally accorded, since it had been granted in the case of goods re-exported to Persia, even when purchased in India.<sup>10</sup>

(10) Remedies for delay in transit on ships and railways.

(11) Compensation for losses in transit by sea and rail.

No reply was required on these two points.<sup>11</sup>

(12) The export of Afghan opium into 'land and sea dominions of British Empire.'

'Permission to transport opium and charas produced in Afghanistan through India in bond for export to countries outside India' had been requested by the Afghan delegates at Mussoorie.<sup>12</sup>

<sup>1</sup>Tel. 1198 (4-10-1922), from G. of I., to Min., Kabul (F. 188-F., 46).

<sup>2</sup>Tel. 4419 (13-11-1922), from S of S., to Viceroy (*ibid.*, 73).

<sup>3</sup><sup>4</sup>Tel. 1198 (4-10-1922), from G. of I. to Min., Kabul (*ibid.*, 46).

<sup>5</sup><sup>6</sup> Tel. 1240 (18-10-1922), from Viceroy to S. of S. (*ibid.*, 51).

<sup>7</sup>Tel. 1401 (29-11-1922), from G. of I., to Min., Kabul (*ibid.*, 87).

<sup>8</sup>Tel. 845 (4-12-1922), from Balh, to G. of I. (*ibid.*, 95).

<sup>9</sup>Memo. 92 (18-4-1923), from Ch. Br. Del., to G. of I. (*ibid.*, 160).

<sup>10</sup>Note by Mr. Nind (20-9-1922) (*ibid.*, 42).

<sup>11</sup>Tel. 1198 (4-10-1922), from G. of I., to Min., Kabul (*ibid.*, 46).

<sup>12</sup>Tel. 88 (6-7-1920), from Ch. Br. Rep., to G. of I. (Progs., Jan. 1921, 68) and see Progs. of the 15th Meeting.

The Chief Commissioner, N. W. F. P. then noted that special safeguards would be required to prevent smuggling in his Province, 'friction might result, and grant of general permission seems to me to be a measure of doubtful expediency.' He considered that permission might, if the Hague Convention allowed, be occasionally given for special consignments.<sup>1</sup>

The Agent to the Governor General in Baluchistan saw no objection to the grant of the request.<sup>2</sup> The Government of India were prepared to grant these requests, if politically expedient, subject to the fulfilment of their obligations under the Hague Convention, and arrangements being made for transport in bond; they preferred however not to grant it.<sup>3</sup>

The question was dealt with in 4 (i) of the Mussoorie *aide memoire*.<sup>4</sup>

The Secretary of State considered that this clause was too wide in its implications, and suggested certain emendations.<sup>5</sup>

Whether the Afghans seriously hoped to find a market for these drugs in Egypt, as they said, appeared doubtful.<sup>6</sup>

The point does not appear to have been raised in the Kabul Treaty negotiations, but was brought forward at the Trade Conference. The Government of India then pointed out that import into India and transit through India in bond were allowed on the same terms as in the case of opium from other countries, and subject to obligations incurred by India as a member of the League of Nations. There was no reason why Afghan opium should be exempted from Indian excise.<sup>7</sup>

The question was raised again in 1924, by the representative of the Deutsch Afghanische Company, who requested permission for the export of Afghan opium in bond through India to Germany. It was discussed in Kabul Memo. 358 of June 13, 1924<sup>8</sup> and in Home Office letter 466830 of July 23, 1924<sup>9</sup>; and Herr Ebner was informed that the request could only be considered if made officially through the usual channels by the Afghan Government.<sup>10</sup>

In 1924, a proposal that the import of Afghan opium into India should be altogether prohibited gave rise to some instructive discussions as to the interpretation of Article VII of the Treaty, and the opium policy of the Afghan Government.

The main points established were:—

- (i) The licit importation of Afghan opium into India is not commercially profitable.
- (ii) The correct translation of the relevant clause in Article VII is 'the import of which may not be prohibited by law.'
- (iii) 'The prohibition of import of a particular class of goods from Afghanistan, while such goods are permitted to be imported freely from other neighbouring States, would to my mind be contrary to the intention of the Treaty.'
- (iv) The expression 'by land' in Section 19 of the Sea Customs Act covers importation by river.

As regards the regulation of the opium traffic by the Afghan Government:—

- (a) Opium is not a Government monopoly.
- (b) Less is manufactured than formerly.
- (c) The chief market is China, export being made through Badakshan.
- (d) The official regulations are not enforced, and the Afghan Government is not likely to make any sincere effort to restrict the production and consumption of opium.<sup>11</sup>

<sup>1</sup>Tel. 122 (18-7-1920), from N. W. F., to G. of I (Progs. Jan. 1921, 74).

<sup>2</sup>Tel 336 (8-7-1920), from Balm, to G. of I (*ibid* 78)

<sup>3</sup>Tel 853 (12-7-1920), from G. of I, to Ch. Br. Rep. (*ibid* 84).

<sup>4</sup>Para. 99.

<sup>5</sup>Tel 672 (17-8-1920) and 3029 (3-11-1920), from S of S., to Viceroy and 1154 (29-9-1920), from Viceroy, to S of S. (A. S IV, 595, 616, 664)

<sup>6</sup>Tel 669 (1-2-1921), from S of S., to Viceroy (*ibid* 795).

<sup>7</sup>Memo 1155 (24-10-1922), from G. of I, to Ch. Br. Del (F. 188, 55).

<sup>8</sup>(F. 116-F, 1924).

<sup>9</sup>(*Ibid*).

<sup>10</sup>(*Ibid*).

<sup>11</sup>F. R Dis 147, E. O. of 1925. (C. B. R.).

A notification was finally issued by the Government of India in the following terms :—

'The Governor General in Council is pleased to prohibit the bringing of opium by land into British India from any country situate on the land frontier of India.'<sup>1</sup>

(13) **Free import to Afghanistan of sporting guns and material, purchased in India or Europe.**

The Government of India proposed

'To take up the position that articles classed as prohibited, such as cocaine, arms, etc., transport of which is largely a matter of international regulation, cannot be included in agreement with regard to trade goods, that, except under licence, import of arms is prohibited into British India, and that it is impossible for us to give privilege to foreigners which we refuse to British subjects. This would mean in practice that, unless supported by recommendations of our Minister, licences would uniformly be refused to import sporting weapons.'<sup>2</sup>

The Secretary of State agreed.<sup>3</sup>

(14) **Permission to export Russian notes via India.**

The Afghan delegates at Mussoorie requested permission for the export of rouble notes through India under the Rouble Notes Ordinance, to any place where such notes were still accepted.<sup>4</sup>

The discussions on the point show that the Government of India were prepared to consider this request.<sup>5</sup> The market for such notes was believed to be Shanghai.<sup>6</sup>

In the *aide memoire* the point was reserved for the negotiation of a Treaty of friendship.<sup>7</sup> It does not appear to have been discussed during the Kabul Treaty negotiations; but when it was raised at the Trade Conference, it was pointed out that the Roubles Note Act had expired, and that the matter was not of a kind to be dealt with by the Convention.<sup>8</sup>

The information available regarding the proceedings of the Russo-Afghan Trade Conference goes to show that the Afghan Government lost heavily on their holdings of these notes.<sup>9</sup>

(15) **Additional points of exit for rebated goods.**

The Afghan delegates asked also for a number of other routes to be recognised as points of exit for rebated goods, in addition to the Khyber, Parachinar, and Chaman routes,<sup>10</sup> but this was not conceded.<sup>11</sup>

646. **The 'two years' concession.**—This figured largely in the negotiations for the Convention, and referred to a request made by the Amir 'that until a purchase agency in America and Europe can be organised import duty on all goods purchased in India for the use both of Afghan traders and of the Afghan Government may be refunded. The period would be for two years'. Sir F. Humphrys recommended rebate of duty 'only on goods for the Afghan Government'.<sup>12</sup>

The request reappeared as number 9 of the demands made by the Afghan delegates, but without any limitation of time. The grant of it in this form was made the *quid pro quo* for 'most favoured nation treatment', and dropped out when this was not given.<sup>13</sup>

The concession was however granted, as a matter outside the convention, in a restricted form as applicable only to goods purchased in India for the Amir himself, his family, and the Afghan Government.<sup>14</sup> It took effect from

<sup>1</sup>No. 5634 (24-11-1924) Customs,

<sup>2</sup>Tel. 1317 (11-11-1922), from Viceroy to S of S (F. 188-F, 67).

<sup>3</sup>Tel. 4261 (27-11-1922), from S of S, to Viceroy (*ibid* 85).

<sup>4</sup>Tel. 88 (6-7-1920), from Ch Br. Rep., to G. of I. (Progs. Jan. 1921, 68), and see Progs. of the 15th meeting.

<sup>5</sup>Progs. Jan. 1921 (n. pp. 19-21).

<sup>6</sup>Tel. 853 (12-7-1920), from G. of I., to Ch Br. Rep. (Progs. Jan 1921, 84).

<sup>7</sup>Para. 99.

<sup>8</sup>Tel. 1241 (18-10-1922), from G. of I., to Min. Kabul (F. 188, 52).

<sup>9</sup>Para. 630.

<sup>10</sup>Letter 10 (20-9-1922), from Ch Br. Del., to G. of I. (F. 188, 41).

<sup>11</sup>Tel. 1240 (18-10-1922), from Viceroy, to S of S. (*ibid* 51).

<sup>12</sup>Kabul tel. 19 (3-4-1922) (*ibid* 1).

<sup>13</sup>Memo. 62 (18-4-1923), from Ch. Br. Del., to G. of I. (*ibid* 160).

<sup>14</sup>Kabul tel. 24 (23-2-1923) (*ibid* 136).

August 4, 1923, the date of the ratification of the Convention, with it was made coterminous.<sup>1</sup>

**647. Refund of duty on unbroken consignments imported to Afghanistan before conclusion of the Convention**—This concession was granted with retrospective effect by the Government of India, in the case of such goods which were covered by a certificate of actual exportation to Afghanistan.<sup>2</sup>

**648. Comments.**—The Trade Convention of 1923, was clearly a ‘minimum’, and both parties had hoped that its terms would be considerably more extensive. The British requirements left unsatisfied were those for ‘national’ and ‘most favoured nation treatment’; while the Afghans failed to obtain—

- (1) The transfer of their Trade Agent from Quetta to Chaman; and the recognition of additional Trade Representatives.
- (2) Substitution of the bond system for cash payment of import duty in the case of trade goods.
- (3) An assurance against enhancement of octroi duties.
- (4) Permission to appoint a preventive staff in Baluchistan.
- (5) The ‘Nushki Concessions’ in regard to fare and freight.
- (6) The refund of duty on goods purchased in India.
- (7) The free export of opium to British possessions.
- (8) The free import of sporting guns and material to Afghanistan.

In addition indications were given that a rebate of excise on goods purchased in India might be claimed.<sup>3</sup>

Of these points (1), (2), (4) and the question of the refund of excise were put forward by the Minister of Commerce in an interview with Sir F. Humphrys on September 3, 1926,<sup>4</sup> and any one of them is likely to be raised in negotiations for a revision of the present Treaty or Trade Convention.

**649. Refund of Indian excise duty on salt and oil.**—The question of remitting the Indian excise duty on salt and oil has been examined.

As regards salt, it was found that, as the Afghan customs duty was 20 per cent, and the cost of carriage from Peshawar to Kabul amounted to Rs. 4 per maund, the Indian product could not compete with that of Khanabad, which was sold in the Kabul area at Rs. 3|4|0 per maund.

The position was similar in the Kandahar province, while Jalalabad was mainly supplied from India (Kohat).

‘It would seem therefore that the remission of the excise duty would not enable Indian salt to compete in any area, other than that in which it is already established’<sup>5</sup>

As regards oil (petrol and kerosine) the Government of India were ‘prepared to grant a refund of excise duty in return for the concessions the Afghan Government give in the matter of the Legation buildings’<sup>6</sup>

The Minister however did not communicate this concession to the Afghan Government, and the *quid pro quo* for it was noted as being inadequate.<sup>7</sup>

From information supplied by the Legation<sup>8</sup> as to current prices in Afghanistan, it seemed that Indian petrol and oil were ‘holding their own, in spite of being slightly more expensive;’ and it was considered that the oil companies could, if they desired, reduce their prices in order to compete with Russian imports, and still make a profit.<sup>9</sup>

**650. Afghan Commissions of Enquiry.**—In 1923, the Afghan Government appointed a commission of enquiry to investigate charges of corruption against the Trade Agent at Peshawar. It was held that a departmental enquiry was unobjectionable, but that the commission should receive no official recognition or support from the British authorities, and that any attempt to establish ‘an ex-territorial status in favour of Afghans in India’ would have to be carefully watched.<sup>10</sup>

<sup>1</sup>Letter from Min. Kabul, to Af For. Min (24-9-1925) (F. 188-F., 264).

<sup>2</sup>Letter 639 (12-7-1923), from G of I. (*Ibid* 216).

<sup>3</sup>Kabul memo. (9-6-1923) (*ibid* 207)

<sup>4</sup>Kabul memo. 475|4 (4-9-1926) (A. S XX, 187-A).

<sup>5</sup>Kabul memo. 631|2 (14-5-1927) (F. 214-F 1926 8).

<sup>6</sup>Memo. 341-F, (26-5-1925) from G of I to Min. Kabul (F. 341-F. 9).

<sup>7</sup>Minute by offg For. Secy. (23-11-1926) (F. 489-F., n. p. 2)

<sup>8</sup>Kabul memo 29 (1-4-1927) (*ibid* 3).

<sup>9</sup>Minutes in the F. and P. and Commerce Departments (20-4-1927 and 10-6-1927) (*ibid* n. pp. and 9).

<sup>10</sup>(F. 625, F. 1923).

## CHAPTER XXXIV.

### POSTAL QUESTIONS.

651. **The Afghan Post Office at Peshawar.**—The Afghan Post Office at Peshawar had been established after the Second Afghan War. Peshawar was then the limit of operations of the Indian Postal system.<sup>1</sup> In 1896 it was pointed out that this Post Office was the centre of the Amir's intelligence system in India, and that it was contrary to the practice of all nations to permit the maintenance of a foreign Post Office in their territories. The Government of India however decided not to move in the matter.<sup>2</sup>

In 1912 the Chief Commissioner reported that the Post Office was really a political agency and a focus for intrigue, and described it as an institution hostile to the Government of India.<sup>3</sup> This information was fully corroborated at the outbreak of the Third Afghan War when the Postmaster, Ghulam Haider, was arrested, with his adherents, for using the office as a centre for the dissemination of inflammatory propaganda and the incitement of rebellion.<sup>4</sup>

At the Rawalpindi Conference the Afghan delegation was informed that the Afghan Post Office could not be resuscitated in its old form, although it was recognised that some arrangements would have to be made for postal and trading facilities.<sup>5</sup>

At the Mussoorie Conference the question was again raised by the Afghan delegates, who were informed by Mr. Dobbs that

'A trade agency can be established in Peshawar, but the British Government cannot allow an Afghan Post Office again in Peshawar.'<sup>6</sup>

In January 1923, commenting on the abortive contract given by the Afghan Government to S. Gmeiner for the transport by motor of passengers, goods, and mails, between Kabul and Peshawar, Sir F. Humphrys called attention to the state of affairs then existing :—

'Since the signing of the present Treaty however, the Afghan Trade Agent at Peshawar has, it is understood, been in the habit of receiving all postal matter addressed to persons in Afghanistan (other than mails for this Legation), and of forwarding it independently of the British service in a closed bag from Peshawar. The Trade Agent affixes Afghan stamps and postmarks; and thus, in spite of Sir Henry Dobbs' definite announcement to the contrary, the Afghan postal system has been reintroduced within British territory ..... I have.... seen no indication of any intention on the part of the Afghan Government to build..... a Post Office (at Torkham), and the terms of Article 12 of Mr. Gmeiner's contract clearly show that the Afghan Government intend to regularise the system now obtaining, and to advertise publicly the existence of an Afghan Post Office in Peshawar.'<sup>7</sup>

On enquiry from the Chief Commissioner, N. W. F. P., it was ascertained that there was a building in Peshawar styled the 'Afghan Post Office' which was controlled by an Afghan official, who was separate from, and independent of, the Trade Agent.<sup>8</sup>

The Minister was then asked by the Government of India to draw the attention of the Afghan Government to Article X of the Treaty, 'and to ask them to close down the Post Office at once, and make the necessary arrangements for the exchange of mails at the frontier, in accordance with the universal custom of civilised Powers'. A suggestion was added that Afghanistan might join the International Postal Union.<sup>9</sup> Sir F. Humphrys doubted whether Article X specifically disallowed the existing unofficial arrangement, and suggested inviting

<sup>1</sup> Progs., Frontier A, March 1913.

<sup>2</sup> Progs., Secret F, July 1897.

<sup>3</sup> Progs., Frontier A, March 1913.

<sup>4</sup> Para. 41

<sup>5</sup> Tel 130-S. (6-9-1919), from Viceroy to S. of S. (Progs., Oct. 1919, 173.)

<sup>6</sup> Progs. of 16th meeting (22-7-1920) (Progs., Jan. 1921, 137).

<sup>7</sup> Kabul despatch 4 (12-1-1923).

<sup>8</sup> Memo. 6537-P. (25-5-1923) from N.-W.F. to G. of I. [F. 110 (1) F. 14].

<sup>9</sup> Memo. 555|110 (1) F. (30-6-1923) from G. of I. to Min. Kabul (*ibid* 17)

the Afghan Government to join the International Postal Union<sup>1</sup>. Inconclusive discussions with this end in view were carried on at Kabul with the Afghan Government, and in November 1923 the Chief Commissioner pointed out certain objectionable implications of the existing arrangements, and pressed for their early cessation.<sup>2</sup>

In March 1924 the Afghan Foreign Minister agreed definitely to exchange of mails at the Frontier.<sup>3</sup> The Khost rebellion delayed a decision of the question, but in September 1924 the Afghan Government forwarded draft rules to govern the exchange of mails at the Frontier.<sup>4</sup> These were considered by the Government of India, who were ready to accept them with some modifications<sup>5</sup>, but they were not put into force, as the Afghan Government wished to await the completion of their Post Office at Torkham.

In February 1925 the Afghan Government were reported to have approached the Persian Government for advisers to organise their postal service<sup>6</sup>, but it was eventually decided to employ a French expert for this purpose.<sup>7</sup>

The construction of the Torkham post office was eventually completed in April 1927.<sup>8</sup>

**652. Losses of British mails in the Afghan post.**—The loss in 1921 of the mail bag belonging to the Dobbs Mission, and the action taken in regard to it have already been noticed.<sup>9</sup>

The next case occurred in 1922 during the pendency of the Trade Conference in Kabul, when the diplomatic bag of December 12 failed to arrive.<sup>10</sup>

'Amir assured me that under his personal direction every effort was being made to recover diplomatic bag, of loss of which he was much grieved to hear.'<sup>11</sup>

The Government of India, after considering the idea of the Minister being temporarily withdrawn, and giving reasons against it, recommended that the negotiations for the Trade Convention should be suspended, and the grant of the 'two years concession' withheld, unless the bag was returned, or really satisfactory 'explanation and apology and assurance for future' were given.<sup>12</sup> His Majesty's Government sanctioned the suspension of negotiations as proposed, but pointed out that apparently no guarantee had been given by the Afghan Government beyond that in Schedule II (j) of the Treaty, and that the grounds of complaint seemed *prima facie* to be 'not so much breach of international courtesy such as would be involved by interference with the King's Messenger, but rather the inefficiency of the Afghan Postal department.'<sup>13</sup> The Secretary of State went on to propose the institution of a special courier service for the carriage of the Legation mails between Kabul and Peshawar, and a weekly service by Legation lorry was accordingly started.

On February 23, 1923 Sir F. Humphrys received a 'full written apology', which he considered 'thoroughly satisfactory', and assurances for the future. He pointed out that the institution of the Legation courier service 'will mean to Afghan Postal Department annual loss of revenue, regarded by them as serious, of about Rs. 15,000 and will be serious blow to Afghan pride.'<sup>14</sup>

The incident was thereupon regarded as closed.

A case also occurred of the Kandahar Consular bag being lost in transit.

In this instance 'an official expression of the displeasure of His Majesty's Government.....was conveyed to S. Sher Ahmed Khan.'<sup>15</sup>

<sup>1</sup>Kabul tel. 109 (14-7-1923) [F. 110 (1) F. 19].

<sup>2</sup>Memo 10258[P.C. (14-11-1923) from N. W. F. to G. of I. (*ibid* 23) and see Memo. 17300[P.C. (3-12-1923) from N. W. F. to G. of I. (*ibid* 26).

<sup>3</sup>Kabul tel 92 (22-3-1924) (*ibid* 32)

<sup>4</sup>Kabul memo 761 (12-9-1924) (*ibid* 36).

<sup>5</sup>Memo 110 (1) F from G. of I. to C d'A. Kabul (*ibid* 37).

<sup>6</sup>Tehran despatch 19 (6-2-1925) (*ibid* 42)

<sup>7</sup>Kabul despatch 64 (13-8-1926)

<sup>8</sup>Diary M A Kabul [23-4-1927 (6) ]

<sup>9</sup>Paras 173—175

<sup>10</sup>Kabul tel 138 (18-12-1922) (F. 450. 1).

<sup>11</sup>Kabul tel 2 (3-1-1923) (*ibid* 10)

<sup>12</sup>Tel 65 (16-1-1923) from Viceroy to S. of S (*ibid* 11)

<sup>13</sup>Tel 6 (31-1-1923) from S S F A. to Min. Kabul (*ibid* 15).

<sup>14</sup>Kabul tel 24 (23-2-1923) (*ibid* 23). This remark, when considered in conjunction with the Afghan Foreign Minister's attitude towards the courier service, and the detention of the lorry in February 1927 (para 675) suggests a possible explanation of the outrage of November 17, 1927, when the lorry was fired upon.

<sup>15</sup>Kabul despatch 84 (3-7-1924) (A. S. XV 142).

## CHAPTER XXXV.

### AFGHAN LAW AND THE LEGAL POSITION OF FOREIGNERS IN AFGHANISTAN.

653. **The present chaos.**—In 1926 Sir F. Humphrys wrote of ‘the chaotic condition of the criminal law, and the non-existence of commercial or contract law, as understood in civilised countries’<sup>1</sup>; and it is consequently not possible to give any succinct account of the Afghan legal system, or to do more than trace the course of the discussions regarding Afghan criminal law in the official correspondence.

654. **The Landi Kotal murders.**<sup>2</sup>—On the arrest of the accused in this case certain principles and points of procedure were ascertained. Of these the most significant was that ‘capital punishment cannot be awarded by law in any case in which a non-Moslem, who is not a subject of, or under the special protection of, a Moslem King, is murdered by a Moslem.’<sup>3</sup> The codes in force were supplied to the British Minister, but it was stated almost immediately afterwards that these were under revision, and that *Shariat* would be followed.<sup>4</sup>

The relation of the Afghan Code to the *Shariat* was discussed by an Indian barrister in a note of August 5, 1923.<sup>5</sup> On the escape of the accused in this case, the subject was dropped for the time being.

655. **The Piparno case.**<sup>6</sup>—This case occurred during the Khost rebellion and was complicated by the fact that the Amir’s innovations in legal, as well as other, matters were one of the causes of popular disaffection. Consequently such codes as existed were again, if not under revision, at least under reconsideration.

The following points emerge from the subsequent correspondence :—

- (1) The Amir is very sensitive as to the supremacy of Afghan law, and the subjection of foreigners to it.<sup>7</sup>
- (2) The murder occurred on July 27, and by July 30 Piparno had already been condemned to death in the first court, without any facilities being given to him or the Italian Legation for his defence.
- (3) Piparno was made over to the relatives of the deceased in accordance with the Islamic principle of ‘*qisas*’, and they, by previous arrangement, pardoned him. He was then detained in jail until it was decided how ‘State’ rights, as distinct from the private rights of the relatives, should be vindicated. He was then allowed to escape, but was recaptured and hanged.<sup>8</sup>
- (4) The original trial was under a mixture of religious and civil law, and the evidence of non-Moslems was rejected.<sup>9</sup>
- (5) In support of the sentence, sections of one obsolete and two newly enacted codes were quoted.<sup>10</sup>

The full text of the judgments and orders passed by the Courts in this case was forwarded with Kabul despatch 43 of June 19, 1925, in which it was remarked :—

‘While the Afghan penal laws are impossible to grasp, owing to the constant revision to which they are subjected, they contain another most unpleasant feature in the almost unlimited discretion vested in the criminal courts regarding punishment. I am informed by my German colleague... . . . that, out of a total number of 295 penal offences mentioned in the Codes, no less than 250 are punishable with death’.<sup>11</sup>

<sup>1</sup>Kabul despatch 64 (13-8-1926).

<sup>2</sup>Paras. 239, 248, 249

<sup>3</sup>Kabul memo. 273, (24-7-1923), (A. S. VIII 144).

<sup>4</sup>Note.—The execution of Bravine’s alleged murderers was no exception, as he was an Afghan subject at the time of his death (A. S. V. 462).

<sup>5</sup>Kabul tel. 234 (30-7-1923), (A. S. VIII 145).

<sup>6</sup>(*ibid* 158).

<sup>7</sup>Para. 341.

<sup>8</sup>Kabul tel. 143, (3-8-1924), (A. S. XV 207).

<sup>9</sup>Kabul tel. 80 (18-6-1925), (A. S. XVIII 134).

<sup>10</sup>Kabul despatch 43 (19-6-1925), (*ibid* 145).

<sup>11</sup>*Ibid.*

<sup>12</sup>(A. S. XVIII 145), and see Kabul despatches 46 and 48 (27-6-1925) (*ibid* 160 and 162).

Later Sir F. Humphrys wrote :—

‘ The Penal Code of September 1924 ....is said to be under revision, and is..... unintelligible..... . The obscurity of the language of the Code is due mainly to the circumstances in which it was drafted The Nizamnama or Fundamental Laws, drafted by the Turk Bedri Bey in 1921-22, was an attempt at a civilised Code, which included certain features unknown in the Koranic Law, and conflicting with the teachings of the Prophet. These legal innovations were in part responsible for the tribal rebellion, and, as a concession to the rebels, the Amir was forced to repeal the Nizamnama at the Loe Jirga held in September 1924. To take its place the present Code was drafted by five illiterate Mullahs . . . the result is an unintelligible compromise ’<sup>1</sup>

Meanwhile in the course of an audience granted to Sir F. Humphrys the Amir had agreed that :—

- ‘ 1. trials must be publicly conducted ;
- 2. defence evidence must be heard ;
- 3 evidence of non-Moslems must be admitted equally with evidence of Moslems ;
- 4. competent interpreter should be permitted ;
- 5. copy of judgment should be given to accused at once ’<sup>2</sup>

A questionnaire was prepared by the British, Italian, French, and German Representatives, which it was proposed to address to the Afghan Government in order to elucidate the legal position of foreigners in Afghanistan. This proposal was approved by His Majesty’s Government, who added a further question.<sup>3</sup> The French Government authorised their representative at Kabul in the same sense.<sup>4</sup>

The questionnaire had however not been presented when the Sauer case occurred.

556. **The Sauer case.**<sup>5</sup>—Sir F. Humphrys was authorised, in the event of there being a miscarriage of justice in this case, to associate himself with his German colleague in any way he might see fit<sup>6</sup>

This case was largely affected by political considerations :—

‘ Dr. Sauer’s chance of obtaining leniency in the courts would be considerably improved by the recall of Dr Grobba.’<sup>7</sup>

The conduct of the case was discussed by Sir F. Humphrys in a despatch of September 3, 1926 :—

‘ The trial occupied eight hearings between the 20th February and 15th March 1926 before a Bench consisting of three Qazis. There then ensued a break of four months ..... The heirs of the deceased professed freely to forgive the accused for an offence which up to that time had neither been definitely formulated, nor pronounced by the Court to have been established. On this the presiding Judge announced that the rights of man had been satisfied. There remained the rights of God, i.e., the State. These would be determined in open Court by the Governor of Kabul sitting in Council.’

Dr. Sauer was then sentenced to four years’ imprisonment, and informed that an appeal must be lodged within fifteen days. He appealed to the Amir, who, in exercise of the prerogative of mercy, granted him a free pardon :—

‘ So ends a case in which nearly all the rules commonly met with in civilized legal procedure have been violated... . In the first place the identity of the deceased has by no means been established. It is credibly reported that his name was not Din Muhammad, as alleged, but Gul Baz, whose real name had to be suppressed, because he was a notorious highwayman. Another peculiarity arose from the fact that no Crown Prosecutor is recognised under Afghan law, and his rôle was therefore adopted by the presiding Judge himself. The accused pleaded firstly, that the shot was accidentally fired, when he was exercising his right of private defence in struggling with the deceased ; and secondly, that death resulted not from the bullet, but from a fall from a horse which preceded the shot. Yet no evidence was taken on either of these points, and the Judge sternly disallowed the summoning of any medical witness. Finally, the Court, after

<sup>1</sup>Kabul despatch 54 (9-7-1925), A. S XVIII 190.

<sup>2</sup>Kabul tel. 84 (22-6-1925), (*ibid* 142)

<sup>3</sup>F. O. tel. 33 (25-8-1925), (*ibid* 275).

<sup>4</sup>(A. S. XIX 122.)

<sup>5</sup>Para. 349.

<sup>6</sup>F. O. tel. 40 (23-12-1925), (A. S XIX 149).

<sup>7</sup>Kabul despatch 1 (6-1-1926), (*ibid* 164).

registering its approval of the pardon preferred by the relatives of the deceased, abdicated its functions, in respect of finding and State sentence, in favour of a purely executive tribunal. To a European onlooker, in fact, the proceedings suggested the Court scene in *Alice in Wonderland*. . . . Two very important principles have been established. The first of these is that a foreigner accused of a criminal charge has been allowed a public trial, with the right to employ counsel in his defence, and the second is that the abominable custom of *qisas* has been abolished.<sup>1</sup>

In February 1927 F. Humphrys forwarded a 'brief summary of recent Afghan newspaper comments on the subject of the Sauer trial, and the general theory of Afghan law', concluding with the remark that

'Although there is much that is unsatisfactory and even ludicrous, as judged by Western standards, in the present Afghan codes, there are welcome indications that King Amanullah is determined to introduce civilised law into his country by gradual stages'.<sup>2</sup>

**657. The Hengler (Hahnle) case.**—In February 1925 Brustmann, a German aviator, was shot dead by a compatriot Hengler (or Hahnle), who was also in Afghan employ, as a result of a quarrel over a German lady, Dr. Brandenbourg.

Hengler was at once taken to his Legation by the German Chargé d'Affaires, but was handed over to the Afghan police for purposes of enquiry. Police were sent to arrest Dr. Brandenbourg as an accessory, but she was kept in the German Legation by Dr. Grobba, who intended to send her out of the country.<sup>3</sup>

The plea was one of self-defence, and on March 24, Hengler was released from custody on condition that he stayed in Kabul, until the relatives of the deceased declared their acquiescence in his acquittal. This action on the part of the Afghan Government was believed to be connected with their desire to utilise Hengler's services.<sup>4</sup>

**658. The three Poles.**—In May 1926 Sir F. Humphrys reported the detention in prison, apparently without trial, of three Poles.<sup>5</sup> They had already been in prison for some six months in Herat, and were eventually released on the representation of Count Potocki.<sup>6</sup>

**659. The Stranger case.**—On April 17, a car driven by Mr. Stranger, Motor Superintendent of the British Legation, ran down and killed an Afghan boy. No blame in the matter attached to Mr. Stranger.

'Father and witnesses testified in my hearing that affair had been inevitable accident, but when final police report was ready, I found that facts as set forth on alleged testimony of seventeen witnesses, were totally different to what had actually occurred, and with what witnesses had actually said.'

The Chargé d'Affaires expected that Mr. Stranger's surrender would be demanded by the Afghan authorities, 'either for further police enquiry or for criminal trial.'

This case turned mainly on the question of diplomatic privilege, the bearings of which under the Treaty were discussed by Mr. Gould, who concluded:—

'If His Majesty's Government decide to waive immunity, there is prospect that Afghan Government may endeavour to act in such a way as to vindicate justice and impartiality of their courts. They cannot fail to be aware that, in the event of miscarriage of justice, His Majesty's Government would be in a position to adopt vigorous and immediate measures of protest. If their jurisdiction is denied, they may profess to believe concocted prosecution evidence, and expect us to deal with Stranger as a person accused of serious offence. . . . Last night I interviewed Governor of Kabul who.... suggested that present incident would be settled speedily and without fuss, provided that we did not deny jurisdiction of Afghan Courts. If Stranger were made amenable to Afghan Courts, at the best it is possible that he might escape imprisonment, or might be sentenced to short term of imprisonment in some suitable place of confinement. At the worst there are always present in Afghanistan possibilities of judicial anomalies . . . and the barbarous conditions of an Afghan prison, and even *qisas*. The case is complicated by fact that there would be no Muhammadans among witnesses for the defence.'<sup>7</sup>

<sup>1</sup>Kabul despatch 74 (3-9-1926), (A. S. XX 187)

<sup>2</sup>Kabul despatch 25 (23-2-1927) (A. S. XXI 89).

<sup>3</sup>Kabul tels. 30 (27-2-1925) and 2251, (11-3-1925). (A. S. XVII 176 and 204).

<sup>4</sup>Kabul tel. 35 (28-3-1925), (*ibid* 249).

<sup>5</sup>Kabul tel. 56 (1-5-1926), (A. S. XX 22).

<sup>6</sup>Para. 359.

<sup>7</sup>Kabul tel. 55 (18-4-1927), (A. S. XXI 165).

<sup>8</sup>Kabul tel. 58 (21-4-1927), (*ibid* 174).

His Majesty's Government hoped that the case would be settled informally, but authorised the offer of

' a reasonable sum as compensation as a matter of grace '

' But if surrender of Stranger is really demanded, you should claim diplomatic privileges, and decline to admit jurisdiction of Afghan Courts or to surrender Stranger, either for further Police enquiries, or for trial, but you may, if you think it desirable, offer to make a statement of facts of accident in writing to the Afghan Government. Neither you nor any member of Legation should however participate in any further enquiries by the Afghan authorities. Any proceedings against yourself or any member of your staff or household would be a breach of international law in the practice of civilised nations '<sup>1</sup>

The case was not pressed by the Afghan Government, possibly in view of an accident which had occurred in Delhi in February 1923, when the Head Clerk of the Afghan Consul General in Delhi ran over and killed a boy. A charge under Section 304-A. had been registered in that case, but subsequently cancelled.<sup>2</sup>

660. ' *Qisas*. '—The question whether the abolition of ' *qisas* ' in trials of Europeans should be demanded came to the fore in connection with the Sauer case. Sir F. Humphrys, at the instance of Dr. Grobba, decided to take immediately what steps he could ' to ensure that right to inflict punishment is limited to State by order of competent Court.'<sup>3</sup> The Government of India on the other hand considered that it might be advisable, in the circumstances existing in Afghanistan, to retain ' *qisas* ', as a formality by which the Amir might satisfy ' requirements of the law, and thereby save his face, without proceeding to extremes.'<sup>4</sup> It may be noted that in the Piparno case it was after the ' *qisas* ' proceedings, that the accused had been provided with facilities for escape. Sir F. Humphrys however mentioned the point to the Amir who ' replied that it was impossible to eliminate *qisas* from Afghan legal code at present, though he hoped to do so hereafter. I insisted that foreigners were entitled to be protected against barbarity of privately inflicted revenge. Finally I was given a private assurance by the Amir that death penalty would not be exacted.'<sup>5</sup>

Sir F. Humphrys gave further reasons in support of his views<sup>6</sup>, in answer to the objections made by the Government of India, and his action was approved.<sup>7</sup>

In July the Foreign Minister said that the question had been referred to the Majlis-i-Shora, who had ' decided to abolish ' *qisas* ' in Afghan judicial procedure in cases where foreigners were accused. He gave me definite assurance that ' *qisas* ' would not be applied to Sauer case.'<sup>8</sup>

Sir F. Humphrys considered that the abolition of ' *qisas* ' had been established as a ' principle ' by the Sauer case,<sup>9</sup> but it will be noticed that the heirs of the deceased were required to state that they forgave the accused, and that the ' rights of man ', as distinct from those of the State, were thus maintained,<sup>10</sup> although without the brutal proceedings of the Piparno case, of which Sir F. Humphrys only heard ' many months after ' they had taken place.<sup>11</sup>

In the Stranger case Mr. Gould considered that ' *qisas* ' was ' at the worst ' still possible.<sup>12</sup>

661. **The Questionnaire.**—As already mentioned, His Majesty's Government had approved the presentation of a questionnaire by Sir F. Humphrys and his colleagues, with a view to elucidate the obscurities in the Afghan Codes.<sup>13</sup>

From one cause and another however its presentation was deferred, and Sir F. Humphrys soon came to doubt the advisability of presenting it at all:—

' I feel that . . . the presentation of what may be considered by the Afghans as a semi-collective démarche may well serve to retard, rather than to hasten, the introduction of the necessary judicial reforms, and I may recall. . . . that King Amanulla made an earnest appeal to me last year not to embarrass him by making an official demand

<sup>1</sup>F. O. tel. 20 (21-4-1927), (A. S XXI 175).

<sup>2</sup>Tel. 874 (30-4-1927), from Viceroy, to S. of S. (*ibid* 197) and Kabul despatch 49 (12-5-1927) (*ibid* 227).

<sup>3</sup>Kabul tel. 39 (26-2-1926), (A. S XIX 252).

<sup>4</sup>Tel 411 (3-3-1926), from Viceroy, to S. of S. (*ibid* 253).

<sup>5</sup>Kabul tel. 40 (1-3-1926) (*ibid* 254).

<sup>6</sup>Kabul tel. 44 (4-3-1926), (*ibid* 261).

<sup>7</sup>F. O. tel. 10 (15-3-1926) (*ibid* 271).

<sup>8</sup>Kabul tel. 91 (15-7-1926), (A. S XX 123).

<sup>9</sup>Para. 656.

<sup>10</sup>(*Ibid*)

<sup>11</sup>Kabul despatch 74 (3-9-1926), (A. S XX 187).

<sup>12</sup>Para. 659

<sup>13</sup>Para. 655.

for the amendment of laws which he was resolved himself to alter..... I request that I may receive instructions to defer indefinitely the presentation of the questionnaire, and to advise my French, Italian, and German colleagues accordingly.<sup>1</sup>

The Government of India agreed, remarking :—

' Though Sauer trial may presumably be held to establish right of Europeans to public trial with legal representative, we cannot overlook the fact that its satisfactory issue was the result of purely political considerations of the moment, and not of the rights of the case. Therefore, while we agree with Minister that for the time being best chance of judicial reforms lies in personal interviews and individual efforts. .... We hope that he will be able to pave the way for eventual collective action, (preferably on the basis of a much simpler questionnaire) in which it would be most desirable that the Turkish Minister should participate.'<sup>2</sup>

His Majesty's Government agreed.<sup>3</sup>

**662. Conclusions.**—Sir F. Humphrys has mentioned

' a few of the features which are likely to attend the trial in Kabul of any European, and probably of the subject of any European Power.'

Firstly, the Court is swayed almost entirely by political considerations ; it takes its orders from the Afghan Government, and the merits of the case are a secondary consideration.

Secondly, public opinion is strongly in favour of strict adherence to Muhammadan religious law and procedure, involving among other objectionable features the barbarous sentence of '*qisas*'.

Thirdly, the conduct of the case generally, the assumption by the Judge of the rôle of Prosecutor, and the facility with which he turns from material points into any side issue damaging to the accused, makes it doubtful whether an accused person, even if political considerations were not involved, would ever receive an unprejudiced hearing. The importance of this question increases with the growing number of Indian teachers and doctors, who take service in Afghanistan and during their employment are subject to Afghan law.'<sup>4</sup>

It is clear that the trials of Europeans, which have taken place during Amanullah's reign, all present distinctive features.

In the Piparno case the murder was of an Afghan public servant in the execution of his duty, and consequently aroused considerable feeling among the Kabul police and troops. It coincided with a strong reaction of popular feeling in the direction of the orthodox Islamic Law.

In the Sauer case the circumstances were entirely different. An Afghan, it was true, had again been killed by a European, but he was not a State servant—he was in fact believed to be a highway robber—the Khost rebellion was over, and the return to civilisation had begun ; the main object which the Afghan Government had in view was not the punishment of the accused, but the recall of Dr. Grobba ; and lastly, Piparno had not died in vain ; the action of the Italian Government in his case having no doubt impressed on the Amir the necessity of considering European susceptibilities.

In the Hengler case both accused and deceased were Europeans. This fact, together with the accused's proficiency in making cement, appears to account for the liberal attitude of the Afghan Government in the matter.

In the Stranger case the deceased was again an Afghan, but the affair was obviously accidental, questions of diplomatic privilege were involved, and probably in Afghan eyes the essential 'principle of reciprocity' had been established by the withdrawal of the charge in 1923 against the Head Clerk of the Afghan Consul General.

In these circumstances, inferences as to the present legal position of foreigners in Afghanistan can only be drawn with extreme caution. There are now precedents for public trial, and for the reduction of the principle of '*qisas*' to a harmless formality—if not for its actual abolition. On the other hand, in the absence of diplomatic representation, Europeans, as is shown by the case of the three Poles, are liable to be detained indefinitely in prison, and in all cases, as pointed out by Sir F. Humphrys, the political considerations of the moment are likely to be paramount.

<sup>1</sup>Kabul despatches 74 (3-9-1926) and 104 (21-10-1926), (A. S. XX 187 and 272).

<sup>2</sup>Tel. 1670 (4-10-1926), from Viceroy, to S. of S. (*ibid* 230).

<sup>3</sup>F. O. tel. 37 (27-10-1926), (*ibid* 266).

<sup>4</sup>Kabul despatch 29 (15-4-1926), (*ibid* 6)

## CHAPTER XXXVI.

### THE BRITISH LEGATION IN KABUL AND QUESTIONS OF DIPLOMATIC PRIVILEGE.

663. **The Minister.**—In the original proposals for the terms of peace with Afghanistan after the Third Afghan War it was only suggested that the position of the Agent in Kabul should be improved :—

‘ He should be allowed a larger staff, including something corresponding to the Military Attaché at our Legations and Embassies. He should of course continue to be a Moslem gentleman of high standing, and his staff would be Moslems.’<sup>1</sup>

At the second meeting however of the Mussoorie Conference the Afghan delegates made it clear that they desired the appointment of a British Minister at Kabul.<sup>2</sup>

But it was still contemplated by the Government of India that the incumbent of the post should be an Indian Moslem, and when Sir H. Dobbs proposed the appointment of an Englishman with the status and pay of a first class Resident<sup>3</sup>, they stated their view that the answer to the question, whether an Englishman or Indian should be appointed, depended largely on the presence or absence of other European representatives, and considerations of personal safety :—

‘ Presence of a British Minister as the solitary Christian in Kabul of any particular standing would involve risks which we should be loth to take.’<sup>4</sup>

In reply Sir H. Dobbs wrote :—

‘ Afghans’ main proposal is to claim equality with other nations, and the particular manifestation of independence to which chief importance is attached by them is emancipation from tutelage of Government of India. I believe that they would refuse to sign any Treaty which did not concede this principle by providing that the Afghan Representative in London should have direct dealings with our London Foreign Office regarding non-Indian affairs. They like to consider their present negotiations as being, not with Government of India, but with His Majesty’s Government. For this reason I believe they would regard it as a grave slight if first British Minister under the new Treaty were an Indian Moslem, as hitherto, and would interpret such an appointment as an attempt on our part to revert to old state of affairs.<sup>5</sup>

The Government of India adhered to their view, but the Secretary of State agreed with Sir H. Dobbs, remarking :—

‘ In the past the Kabul Agent has proved quite useless even as a source of information.’<sup>6</sup>

At the Fifth Kabul Conference Sir H. Dobbs pointed out the necessity for the British Minister, when appointed, to be freed from the surveillance by the Afghan authorities to which he was himself subjected.<sup>7</sup>

In September 1921 the India Office wrote :—

‘ The Government of India have contemplated that the post should be classed and paid as a Residency on the cadre of the Indian Political Department. On the other hand it is not desirable that the Afghan Government should be given unnecessarily any opening for questioning the incumbent’s full status as a Minister and standing for international purposes (*e.g.*, in comparison with any ministers that may be sent by other Powers to Kabul). Lord Curzon will no doubt agree that for the present, and probably for a long time to come, the post should be filled by an officer of the Indian Political Department, selected by the Government of India and the Secretary of State for India; but Mr. Montagu is inclined to think that the post should be formally shown on the Foreign Office list, (and possibly with a salary fixed in sterling) rather than on the cadre of the Indian Political Department.’<sup>8</sup>

Sir H. Dobbs concurred with these proposals.<sup>9</sup>

<sup>1</sup>Minute by Sir H. Grant (20-6-1919) (Progs., Oct. 1920, n p. 33).

<sup>2</sup>(Progs., 1921, 137).

<sup>3</sup>Tel. 176 (21-6-1921), from Br. Rep., Kabul, to G. of I. (A. S. V, 404).

<sup>4</sup>Tel. 953 (25-6-1921), from Viceroy, to S. of S. (*ibid* 432).

<sup>5</sup>Tel. 193 (30-6-1921), from Br. Rep., Kabul, to G. of I. (*ibid* 462).

<sup>6</sup>Tel. 3404 (7-7-1921), from S of S, to Viceroy (*ibid* 508).

<sup>7</sup>(A. S. VI, 373).

<sup>8</sup>I.O. letter P-4107 (27-9-1921) (*ibid* 426).

<sup>9</sup>Tel. 344 (27-10-1921), from Br. Rep., Kabul, to G. of I. (*ibid* 428).

Mr. Pears was then proposed for the appointment<sup>1</sup>, but the Amir objected<sup>2</sup>, and Major Humphrys was finally selected.<sup>3</sup>

In the reply to this letter from the Foreign Office it was remarked :—

' In accepting the arrangement by which a member of the Indian Political Department shall be appointed to this post at the start, Lord Curzon cannot conceal from himself that before long an agitation may be raised by the Afghan Government for a modification of this arrangement.'<sup>4</sup>

On taking up his appointment Major Humphrys was given the local rank of Lieutenant-Colonel.<sup>5</sup>

On crossing the frontier he was accorded a salute and a guard of honour by the Afghan Government, and guards of honour at Jalalabad, Laghman, and Kabul.<sup>6</sup>

The Afghan Minister in London had, on crossing the Indo-Afghan Frontier, received a salute of 15 guns and a guard of honour, and guards of honour without a salute at Peshawar and Bombay.<sup>7</sup>

**664. Staff.**—The gazetted staff of the Legation consists of a Counsellor, Military Attaché, Surgeon, Secretary and Oriental Secretary.<sup>8</sup>

**665. Escort.**—The question as to whether the Legation Escort should be armed or not led to some discussion,<sup>9</sup> and it was finally decided that it should not be.<sup>10</sup>

In September 1924 the Government of India pointed out that 'arming of Legations might tend also to weaken sense of responsibility of Afghans for their protection.' In the same telegram however it was mentioned that 'our Legation already possesses supply of concealed rifles with knowledge of Afghan Foreign Office'.<sup>11</sup>

**666. Ladies.**—The presence of ladies with their husbands in the British Legation has more than once been discussed. Sir H. Dobbs recommended that the British Minister should on appointment take his wife with him<sup>12</sup>. The Government of India disagreed<sup>13</sup>, and the proposal was not approved.<sup>14</sup> By June 1922 however there were several European ladies in Kabul, and Sir F. Humphrys recommended that British ladies should be allowed to join in the autumn.<sup>15</sup> This was permitted.

During the crisis of 1923 the evacuation of British women from Kabul was the first step taken to bring pressure upon the Afghan Government, and produced a very marked effect.<sup>16</sup>

They were allowed to return in March 1924.<sup>17</sup> During the Khost rebellion their presence was a source of anxiety, but on the other hand, as it was popularly believed in Kabul that the British Legation received the best and quickest news as to the progress of the rebellion, their departure would almost certainly have been regarded as an indication of well informed pessimism as to the Amir's prospects, and might seriously have affected the situation in the city.<sup>18</sup>

Owing to the influence which ladies of the Afghan upper classes are understood to exercise over their husbands, the part played by the ladies of the European Legations is one of some importance.

<sup>1</sup>Tel. 5995 (23-11-1921), from S. of S., to Viceroy (A. S. VI 586).

<sup>2</sup>Tel. 400 (24-11-1921), from Br. Rep., Kabul, to G. of I (*ibid* 589).

<sup>3</sup>Tel. 2716 (30-11-1921), from Viceroy, to S. of S (*ibid* 640).

<sup>4</sup>F. O. letter N-10901-25/97 (7-10-1921) (*ibid* 686).

<sup>5</sup>Tels. 10 (5-1-1922) and 225 (15-2-1922), from Viceroy, to S. of S (A. S. VII, 10 & 163).

<sup>6</sup>Kabul despatch 3 (25-3-1922)

<sup>7</sup>(A. S. VII, n. p 12.)

<sup>8</sup>Tels. 56 & 57 (5-1-1922), from S. of S., to Viceroy, and 18 (7-1-1922), from Viceroy, to S. of S (A. S. VII, 12, 13, 15).

<sup>9</sup>(*Ibid*) and tel. 126 (11-1-1922), from S. of S., to Viceroy (*ibid*, 25).

<sup>10</sup>Tel. 54 (16-1-1922), from Viceroy, to S. of S. (*ibid*, 40).

<sup>11</sup>Tel. 1481 (24-9-1924), from Viceroy, to S. of S. (A. S. XVI, 129) and see Kabul despatch

<sup>58</sup> (14-12-1923) Enclo. 1, Schedule II (1) (A. S. XI, 40).

<sup>12</sup>Tel. 176 (21-6-1921), from Br. Rep., Kabul, to G. of I (A. S. V, 404).

<sup>13</sup>Tel. 953 (25-6-1921), from Viceroy, to S. of S. (*ibid* 432).

<sup>14</sup>Tel. 3404 (7-7-1921), from S. of S., to Viceroy (*ibid* 508).

<sup>15</sup>Kabul tel. (3-6-1922) (A. S. VII, 390).

<sup>16</sup>Para. 674.

<sup>17</sup>Tel. 586 (19-3-1924) (A. S. XIII, 227).

<sup>18</sup>Tel. 1260 (8-5-1924), from Viceroy, to S. of S. (A. S. XV, 227).

**667. Afghan decorations.**—The Amir bestowed the order of Sardar-i-Ali on Sir F. Humphrys on May 19, 1924,<sup>1</sup> and it is understood that 'restricted permission' was given in regard to it.<sup>2</sup>

**668. Gifts for the Amir, etc.**—The British Minister on his appointment was authorised to purchase gifts for presentation to the Amir, the Afghan Foreign Minister and others, and did so, to the value of £410. This was in accordance with the Tehran practice.<sup>3</sup>

The presents were not to be given to the Amir as from the King, but as from the Minister himself.<sup>4</sup> The Government of India agreed that the presents should be taken to Kabul, but were averse to the Minister instituting the practice of presenting them on first appointment, unless the Afghans clearly showed that this was expected. The gifts, they considered, might be offered as occasion arose.<sup>5</sup>

#### Social relations with other Legations.

**669. The Russian Legation.**—In June 1922 at the close of the Genoa Conference the Minister telegraphed :—

' Formal calls have been exchanged between me and Russian Minister, without meeting on either occasion I have twice met him at Amir's receptions, when his manner was apparently ingratiating and nervous I request instructions as to what course I should follow, if Raskolnikov offers me private or official hospitality, as I am ignorant of present relations between His Majesty's Government and Soviet. Distance of my temporary residence from Kabul gives me at present ready grounds for refusal, but I expect shortly to move to house on outskirts of town. Refusal then would be generally interpreted as having political significance, if I accepted hospitality from other diplomatic colleagues.'<sup>6</sup>

The reply was :—

' You should take the existing general instructions as your guide, which are based on the Anglo-Russian Trade Agreement of March 1921. These indicate that you should not refuse to transact official business, and that, though you should not initiate courtesies, you should return such courtesies as are offered you.'<sup>7</sup>

In June 1923 after the exchange of notes between the British and Soviet Governments<sup>8</sup>, Sir F. Humphrys enquired<sup>9</sup> whether any modification was to be made in his attitude towards the Russian Legation, which was based on the orders contained in this telegram. The reply was in the negative.<sup>10</sup>

On his return from leave in November 1924, Sir. F. Humphrys asked for further instructions :—

' Cards were exchanged by me with Raskolnikov, former Russian Minister, but neither of us ever entered other's Legation. Russians have not been invited hitherto to any reception at British Legation. Maconachie exchanged cards with Stark, new Russian Minister, but, with my concurrence, did not attend reception to celebrate Russian Revolution on 7th November. Third person circular intimation had been received for this function, but Maconachie merely sent card in acknowledgment. This reception was attended by Italian and French Chargés d'Affaires. Points for decision are as follows :—

- (1) On return from leave should I call on Stark first, or await his call on grounds of seniority ? In latter case he may not call at all.
- (2) Should I issue invitations to Russians to official receptions at British Legation ?
- (3) Should I accept similar invitations from Stark ? '<sup>11</sup>

The reply was :—

Point (1) Cards should be exchanged with Soviet Minister, but you should await latter's visit and return it, if made

<sup>1</sup>Kabul tel. 110-A (29-5-1924) (A. S. XV, 1).

<sup>2</sup>Tel. 1044 (12-6-1924), from Viceroy, to S. of S. (*ibid* 44). For the bestowal of Afghan decorations on British air personnel, see Kabul despatch 103 (29-8-1924) (A. S. XVI, 44).

<sup>3</sup>Tel. 260 (18-1-1922), from S. of S. to Viceroy (A. S. VII, 76).

<sup>4</sup>Tel. 454 (1-2-1922), from S. of S. to Viceroy (*ibid* 112).

<sup>5</sup>Tel. 158 (4-2-1922), from Viceroy to S. of S. (*ibid* 113).

<sup>6</sup>Kabul tel. 30 (1-6-1922) (*ibid* 385).

<sup>7</sup>Tel. 2469 (28-6-1922), from S. of S. to Viceroy (*ibid* 472).

<sup>8</sup>Para. 197.

<sup>9</sup>Kabul tel. 95 (21-6-1923) (F. 188-II, 34).

<sup>10</sup>Tel. 86 (30-6-1923), from S. of S. to Min., Kabul (*ibid* 35).

<sup>11</sup>Kabul tel. 201 (12-11-1924) (A. S. XVII, 1).

Points (2) and (3) You should conform to attitude taken up by those of your colleagues whose Governments have recognised Soviet Union ; you should be careful, however, to avoid giving any plausible ground for accusation of lack of courtesy.<sup>1</sup>

These instructions appear to have remained in force until the rupture, in May 1927, of diplomatic relations between Great Britain and Russia.

**670. The Persian Legation.**—In April 1922 the Persian Minister in London represented that the British Minister had delayed the usual call on the Persian Minister in Kabul.<sup>2</sup>

The fact was that the British Minister had not, at the time, called on any diplomatic Representatives, as he was still in camp several miles outside Kabul, and had no suitable place in which to receive visitors. The circumstances were explained to the Persian Minister.<sup>3</sup>

**671. The Turkish Legation.**—Fakhri Pasha arrived in Kabul in June 1922, but it was not until January 1924 that he called on the British Minister.<sup>4</sup> No representation was made on the subject ; the fact however was reported :—

' He has not yet done such violence to his private feelings as to call upon me, although he had said to the Persian Minister that he intended to do so as soon as Constantinople was evacuated by the Allies.'<sup>5</sup>

**672. Procedure in correspondence.**—After considerable discussion it was arranged, in order that the Government of India should be in possession of copies of all correspondence affecting them, and that the outward appearance of direct communication between the London Foreign Office and the Kabul Legation should be preserved that :—

- (a) In the case of despatches to Kabul originals should be sent direct to the Minister at Kabul c/o Postmaster, Peshawar ; copies being sent to the Foreign and Political Department, Government of India.
- (b) In the case of despatches from Kabul a covering bag addressed Foreign Office, London, c/o Postmaster, Peshawar, should be sent enclosing two bags ; one containing copies for the India Office addressed Foreign Office, London, to go to that address direct, and the other containing copies for the Government of India to go to the Foreign and Political Department, Government of India.<sup>6</sup>
- (d) *En clair* telegrams from Kabul should be sent direct, drop copies being sent to the Government of India.
- (e) Cypher telegrams to Kabul should be addressed 'Forminka' ; and, unless the text was prefixed by the catchword 'Solo', drop copies of these supplied to the Government of India.
- (f) Cypher telegrams from Kabul should be addressed 'Katodon' and, unless the text was prefixed by the catchword 'Solo', drop copies of these supplied to the Government of India.<sup>7</sup>

**673. Procedure for the disposal of Frontier questions.**—The instructions on this point are given in telegram 1605 of April 20, 1922, from the Secretary of State for India, and in India Office letter of May 11, 1922.<sup>8</sup>

These instructions deal with 'matters which are, so far as can be seen at the time, of local importance only'.

The considerations on which they are based are that Frontier questions require prompt action for their satisfactory settlement, and secondly, that—

' In view of the expressed objection of the Afghan Government to deal on equal terms with the Government of India, and also in order to preserve the correct relation of His Majesty's representative to His Majesty's Government, it is necessary that His Majesty's Minister should be safeguarded from giving the appearance of acting as the representative of the Government of India, or under their instructions.'

<sup>1</sup>F. O. tel. 50 (7-11-1924) (A. S. XVII, 21).

<sup>2</sup>Tel. 1560 (13-4-1922), from S. of S., to Viceroy (A. S. VII, 266 and see A. S. VII, 311).

<sup>3</sup>Kabul tel 32 (11-4-1922) (*ibid.*, 260).

<sup>4</sup>Para. 273.

<sup>5</sup>Kabul despatch 44 (2-11-1923).

<sup>6</sup>Tel. 222 (18-2-1922) and 264 (28-2-1922), from Viceroy, to S. of S. (F. 256-1923, 2, 5).

<sup>7</sup>(F. 256-F., 1923). For arrangements for 'close co-operation' in Afghan matters between the Foreign Office and India Office, and the supply of correspondence to the latter see A. S. VII 36.

<sup>8</sup>(A. S. VII, 282 and 369).

The Government of India indicate the line they wish taken as a suggestion or request, and the Minister, if he concurs, takes action accordingly, and reports, by despatch or telegram, to the Secretary of State for Foreign Affairs, a copy being communicated to the Government of India. If the Minister does not concur with the suggestion made by the Government of India, he refers for instructions to the Secretary of State for Foreign Affairs, with a statement of his views, his message being communicated to the Government of India. If he decides to act as suggested by the Government of India, but feels misgivings as to the result, he reports his action with an expression of his hope that it has the approval of the Secretary of State for Foreign Affairs.<sup>1</sup>

**674. Withdrawal of the British Legation discussed.**—It was during the Anglo-Afghan crisis of 1923 that the Minister proposed certain steps in order ‘to apply pressure in order to force a settlement’.

These were :—

- (1) Evacuation from Kabul of all British women. This would, it was expected,  
‘ flutter the Italian and French Legations. Amir might be powerfully impressed with danger of course on which he is drifting by enquiries on the part of those Legations as to their own safety ’
- (2) If Treaty were denounced by Afghans after November 21, an intimation that no new Treaty could be negotiated until the demands were satisfied.
- (3) A warning to Afghan Government that it was intended to withdraw the Legation, coupled with a denunciation of the Treaty by His Majesty’s Government.
- (4) Withdrawal of Minister until demands were met.
- (5) Withdrawal of whole Legation.<sup>2</sup>

The Secretary of State considered these measures to be ‘ quite inadequate ’, and intimated the decision of His Majesty’s Government to end the ‘ sorry comedy ’ of treating the Amir as a civilised ruler. He went on to propose the withdrawal of the Legation within 14 days at the most unless the Afghan Government had in the meantime initiated ‘ definite action ’.<sup>3</sup>

The Government of India in their comments remarked that denunciation of the Treaty would not be likely to be efficacious; that the threat of withdrawal was ‘ first real weapon ’; and that the whole Legation should be withdrawn together and not in two steps (4 and 5 above).<sup>4</sup>

The Minister’s comments were :—

‘ I was guided in my proposals by conviction that every possible means should be adopted to attain early and complete settlement of essentials .....without

- (a) rupture probably leading to war,
- (b) formulation of conditions and demands, from which it might subsequently become inevitable to make humiliating withdrawal.

Present proposals seem to me to involve one or other of these two alternatives, and of the two I view second with the greater apprehension in regard to effect on future relations with Afghanistan ’

He went on to point out :—

‘ Afghans have already initiated definite action, however unsatisfactory, and they may well take further action without achieving any positive result which is the essential requisite— ’

and that—

‘ Threat of withdrawing Legation would be more likely to be effective than withdrawal itself.’<sup>5</sup>

<sup>1</sup> And see letter 700-268-F. (14-6-1922), from G. of I., to I. O. (A. S. VII, 416).

<sup>2</sup> Kabul tel. 167 (10-11-1923) (A. S. IX, 220).

<sup>3</sup> Tel. 4038 (13-11-1923), from S. of S., to G. of I. (*ibid*, 230).

<sup>4</sup> Tel. 1468 (16-11-1923), from G. of I., to Min. Kabul, (*ibid* 256).

<sup>5</sup> Kabul tel. 170 (15-11-1923) (*ibid* 257).

In a later telegram he wrote :—

' My reason for suggesting four steps is that, roughly speaking, the fewer the steps the greater the risk of rupture without settlement, the greater the number of steps before the withdrawal of Legation the greater chance of settlement preceding rupture.'<sup>1</sup>

The Government of India in replying to the Secretary of State adhered to the opinion expressed in their telegram of November 16 to the Minister.

The orders of His Majesty's Government were conveyed on November 24 to the effect that the steps should be as follows :—

- (1) Oral hint of withdrawal failing satisfaction of demands.
- (2) Withdrawal of British women with intimation that it was connected with (1).
- (3) Definite announcement that on a fixed date Legation would be withdrawn, if certain action had not been taken by Afghan Government.
- (4) Whole Legation should be withdrawn together and diplomatic intercourse suspended.

His Majesty's Government were

' provisionally of opinion that between step (1) and step (3), or between step (3) and actual withdrawal, not more than a fortnight should intervene.'<sup>2</sup>

On December 4 the Minister gave the oral hint which constituted step (1).<sup>3</sup>

On December 11 step (2) was taken by the evacuation of the British ladies. The effect of this step corresponded accurately to the Minister's anticipations, and he reported :—

' Considerable comment has been caused here by the move, and the Persian and French Legations have expressed some anxiety on their own account.'<sup>4</sup>

The Secretary of State approved these steps, and asked :—

' In the event of withdrawal of Legation have you considered what arrangements should be made for keeping Government of India informed as to events in Afghanistan, and what should be done as to British Consuls ? '<sup>5</sup>

On December 18 the Government of India telegraphed :—

' In so much as (Afghans) have complied, and are complying, with two out of the four conditions named in connection with third step, we think that it should for the present be retarded, and that effect should not be given to it on 25th December,'

and went on to say that the retention of the Consulates after withdrawal of the Legation would be useless :—

' We can devise no means of rapid communication with Kabul after Legation is withdrawn, and we should have to depend on our Intelligence system.... for information ... It was in great measure this difficulty of communication, after withdrawal of Legation, that Humphrys and ourselves had in mind when we said that withdrawal would almost inevitably result in our having war forced upon us.'<sup>6</sup>

The Chief Commissioner, N.-W. F. P., was of opinion that—

' Afghans should also be told that withdrawal of Legation will connote, not denunciation of Treaty taking effect a year hence, but repudiation with immediate effect, on the ground of failure of Afghanistan to observe it. This will leave us free to close Khyber<sup>7</sup> ..... I would add that failing compliance with these terms we shall claim a large sum as indemnity, which we will recover by distraining Afghan property in India if it is not paid in a time to be fixed.'<sup>8</sup>

On January 3 the Secretary of State telegraphed :—

' Nature and sequence of further possible steps should at once be defined as far as possible. Purposes of publicity in particular seem to make it desirable that notice of withdrawal should include general statement of grounds of complaint against Afghans as

<sup>1</sup>Kabul tel. 308 (7-11-1923) (A. S. IX, 260).

<sup>2</sup>Tel. 4167 (24-11-1923), from S. of S. to G. of I. (*ibid*, 322).

<sup>3</sup>Kabul tel. 180 (4-12-1923) (A. S. X, 43).

<sup>4</sup>Kabul tel 182 (11-12-1923) (*ibid* 101).

<sup>5</sup>Tel 4112 (12-12-1923), from S. of S. to G. of I. (*ibid* 111).

<sup>6</sup>Tel. 28-c. (18-12-1923), from Viceroy, to S. of S. (A. S. XI, 61-camp).

<sup>7</sup>For the Afghan view of the effect of the 'closing of the passes' see remarks by S. Nadir Khan at the 4th Kabul Conference (A. S. IV, 819).

<sup>8</sup>Tel. 20123 (20-12-1923), from N.-W. F., to G. of I. (A. S. XI, 91).

well as specific demands. .... If it is decided that denunciation of Treaty is to be part of step 3 reference to this measure would be included in the note.<sup>1</sup>

On January 10 the Minister said :—

' Afghan suspicion that quarrel is being forced on them would be confirmed by taking of step 3 in connection with disposal of Kohat gang.<sup>2</sup>

And on January 12 :—

' On actual withdrawal Amir would probably regard war as inevitable, and consequently, as a means of exciting tribes, he would denounce Treaty.'<sup>3</sup>

The situation then gradually cleared, and discussions of the subject were dropped.

#### Position of the Legation under the Treaty.

**675. Diplomatic Privileges.**—Article V of the Treaty provides for the protection, honourable treatment, rights, and privileges, of the representatives of the parties, and Schedule II defines in greater detail the extent of these rights. The 'most favoured nation' clause in article V, to which the provisions of Schedule II are made subject, is important, and read with the Afghan Treaties with other foreign Powers, (*e.g.*, Italy), gives the British Legation all rights and privileges accorded by international usage.<sup>4</sup>

A contingent disclaimer for the security of the British Legation made in July 1924 by the officiating Foreign Minister was made the subject of an informal protest by Sir F. Humphrys.<sup>5</sup>

From time to time questions arose with the Afghan Government concerning the privileges of the Minister and his staff, in regard to visas, customs, despatch of mails by courier, etc., but were discussed and settled informally.<sup>6</sup> In 1927 however the Afghan Government took up a more unaccommodating attitude, and again raised the point that the personnel of the British Legation exceeded that prescribed by the Treaty Schedule II (*i*).<sup>7</sup>

In February the Legation lorry was held up, and the diplomatic bag missed the mail.<sup>8</sup> In April Mr. Gould reported that the Afghan Government required the Legation couriers to obtain separate visas for each journey.<sup>9</sup>

At this time Mr. Gould reported that the Afghan Government were making 'a general attack on diplomatic privileges, which they seem unable to dissociate from capitulations'.

The Afghan Government took no action against Mr. Stranger<sup>10</sup>, but a case was reported in which a British Indian, employed as a diplomatic courier by the French Legation, while driving a Legation car ran over and killed an Afghan, and was sentenced to imprisonment by an Afghan Court; the French representative's claim of immunity being met by threats of forcible removal of the courier from the French Legation.<sup>11</sup> In May Mr. Gould referred for the decision of His Majesty's Government a number of points of diplomatic privilege, in regard to which difficulties had arisen with the Afghan Government :—

- (1) Whether the servant of a foreign Legation, who is a subject of a third State, should be considered to enjoy the same immunities as a national of the employing State.

The answer was that no distinction was made in England in such cases on a basis of nationality.

- (2) Whether the Afghan Government were entitled to impose a maximum limit for dutiable goods for diplomatic officers to be allowed freedom from duty, or of prohibited goods to be allowed admission.

<sup>1</sup>Tel. 42 (3-1-1924), from S. of S., to Viceroy (A. S. XI 250).

<sup>2</sup>Kabul tel. 12 (10-1-1924) (A. S. XII, 72).

<sup>3</sup>Kabul tel. 19 (12-1-1924) (*ibid* 82).

<sup>4</sup>See Kabul despatch 56 (4-12-1923) (A. S. XI, 40), para. 607, and A. S. V. 26.

<sup>5</sup>Kabul despatch 105 (1-9-1924) (A. S. XVI, 61), tel. 1488 (26-9-1924), from Viceroy, to S. of S. (*ibid*, 136), Kabul tel. 195 (4-10-1924) (*ibid*, 187), tel. 1587 (11-10-1924), from Viceroy, to S. of S. (*ibid*, 223), and Kabul tel. 29 (16-2-1925) (A. S. XVII, 157).

<sup>6</sup>See Kabul despatch 56 (4-12-1923), Sch. II (A. S. XI, 40).

<sup>7</sup>Kabul tel. 27 (19-2-1927), (A. S. XXI, 75A, and see *ibid* 78A, and 104B).

<sup>8</sup>Tel. 679 (6-4-1927), from Viceroy, to S. of S. (A. S. XX, 135).

<sup>9</sup>Kabul tel. 44 (3-4-1927) (A. S. XXI, 132).

<sup>10</sup>Para. 659

<sup>11</sup>Kabul tel. 57 (18-4-1927) (A. S. XX, 169)

The answer was in the affirmative ; but the right to detain and search the Legation lorry was not to be conceded. Any verification of its contents was to be carried out on the Legation premises.

- (3) Whether the Afghan Government were entitled to object to the continuance of the carriage of Legation mails by the Legation lorry ; and what postal matter could be carried by this lorry.

'The practice to which the present Foreign Minister is most determinedly opposed is the conveyance of the post between Peshawar and Kabul by a special lorry, the property of this Legation.'

The answer was that the Afghan Government could not object to carriage of the Legation mails by a Legation lorry, but that the right to carry the private correspondence of the workmen employed on the construction of the new Legation was open to doubt, and private correspondence of nationals outside the Legation could not be carried in the diplomatic bag.

- (4) Answers were given on five points of detail, in regard to the status and rights of couriers.  
 (5) The Afghan Government had discretion to restrict the issue of diplomatic visas, but could not refuse it without infringing diplomatic privilege.<sup>1</sup>

**676. Customs facilities accorded by the Government of India to British and other diplomatic Representatives in Kabul.**—The general principle has been stated in informal correspondence as being that—

'diplomatic privileges, as a right, can only be claimed in the country of official residence, and that ordinarily the only concessions which diplomatic officers can expect to receive, as of courtesy, in a country which they or their belongings transit are as regards the admission of their effects without examination'.<sup>2</sup>

The facilities granted by the Government of India may be considered under four heads :—

**677. (1) Goods imported into India for use of the Kabul Legations :—**

**(a) The British Legation.—**

'The Government of India have decided to admit, free of customs duty, stores imported at British Indian ports for the use of the British Legation at Kabul, and covered by a certificate from the British Minister to the effect that the stores are intended for the Legation..... If the firms importing goods on behalf of the British Legation are unable to produce the requisite certificate immediately on arrival of the goods, they should deposit the amount of customs duty leviable thereon, or enter into a bond to pay the duty, if they fail to produce the certificate within three months from the date of importation of the goods'.<sup>3</sup>

**(b) Foreign Legations.—**The above concession was later extended to Foreign Legations in Kabul.<sup>4</sup>

Goods addressed to Foreign Legations in Kabul are passed without examination, if accompanied by invoices.<sup>5</sup>

**678. (2) Personal baggage of the Ministers and staff of the Legations :—**

'Personal baggage of the (British) Minister and his staff when handed over to the customs authorities at the port of entry for transmission under seal to Afghanistan will be admitted free of duty ; all other baggage will be subject to the ordinary rules'.<sup>6</sup>

Later however these requirements were modified, and the procedure in force in regard to personal baggage was noted as being :—

- (i) The baggage of the British Minister and staff (when accompanying the Minister) is passed free of duty, and without examination.
- (ii) When the staff is not accompanying the Minister, their baggage is exempted from customs duties, if handed over for transport under seal to Afghanistan.

<sup>1</sup>Kabul despatch 49 (12-5-1927) (A. S. XXI, 227) and F. O. despatch 45 (9-8-1927) (A. S. XXII, 122).

<sup>2</sup>F. O. letter to I. O. P-1859 (16-6-1926) (F. 77-F.).

<sup>3</sup>Letter 1100 (25-2-1922), from G. of I. (Com. Dept.) (F. 135, 1).

<sup>4</sup>Letters 5139 (23-10-1924) and 576 (26-1-1925), from G. of I. (Fin. Dept.) (*ibid*, 29 and F. 323, 1).

<sup>5</sup>Letter 694-Cus.126 (16-7-1926), from G. of I. (Fin. Dept.) (F. 43, 10).

<sup>6</sup>Letter 1100 (25-2-1922), from G. of I. (Com. Dept.) (F. 135, 1).

- (iii) Ministers of Foreign Governments and their staffs are entitled only to the privilege in (ii) above.
- (iv) Afghan diplomats<sup>1</sup> are treated in the same way as Ministers of Foreign Governments.<sup>2</sup>

It was then ruled that the customs privileges accorded [as in (i) above] to the British Minister should be extended :—

' To all Heads of Missions accredited to Afghanistan, and to all Afghan Heads of Missions in transit through India, the privileges being in both cases limited to journeys undertaken on duty.

The Government of India consider that for diplomats, etc., who are not the Heads of Missions, the present procedure is sufficient, namely, that they should be required to sign declarations, and that dutiable goods should be sealed for the journey through India.<sup>3</sup>

Later the requirement that the dutiable goods of these officers should be sealed was waived.<sup>4</sup>

**679. (3) Postal Parcels.**—This question was discussed in 1923, and it was then noted that as no postal convention had been signed with Afghanistan, postal parcels for that country were addressed to a private agent in India ; and that as nothing further was known of them officially, they did not, strictly speaking, transit India, and could not therefore be dealt with under the Trade Convention.<sup>5</sup>

At first a refund was granted on postal parcels, as a special concession, on the production of a certificate by the senior officer of the Legation of the importation of the goods<sup>6</sup> for use of the Legation.

But later postal parcels, whether for the British, or for a Foreign, Legation were allowed to pass free of duty, the certificate by the senior officer of the Legation concerned being required to be produced within three months of importation.<sup>7</sup>

(As a very special case a refund of duty on certain postal parcels was granted in 1925 to a private Italian in Kabul.<sup>8</sup>).

**680. (4) Goods purchased in India.**—The general rule is that 'no refund will be admissible on stores purchased locally in India'.<sup>9</sup>

But in the case of the British Legation, goods purchased out of bond were in 1922<sup>10</sup> allowed the same treatment as goods imported, and in 1925 this concession was extended to Foreign Legations, and covered all stores

' purchased before the time of clearance from customs control, i.e.:—

- (i) purchases made while the goods are on the water, or lying at the jetties awaiting clearance, and
- (ii) purchases made in bond'.<sup>11</sup>

In 1922 a rebate of seven-eighths of the customs duty was granted in the case of a Wolseley car purchased in Bombay by the British Legation; and in 1924 refund of duty was allowed on a car purchased in Bombay by the French Legation, the basis of the claim being that the transaction took place before the French Minister was aware of the rules on the point.

**681. Communication of rules to Foreign Legations.**—In 1925 the British Minister prepared, and presumably communicated to his French, Italian, and German colleagues, an *aide memoire* giving the procedure prescribed in the case of freight goods and postal parcels.<sup>12</sup>

<sup>1</sup>But in special cases special facilities have been requested and given, e.g., the Afghan Mission to Europe in 1922 (A S VII, 320), and the Afghan Minister in London (*ibid* 122). In the case of ordinary Afghan officials visiting India, 'usual facilities' mean chiefly exemption from the attention of officials of the Criminal Investigation Department (*ibid* 295).

<sup>2</sup>(Notes in F 77, 1926)

<sup>3</sup>Letter 430-Cus.26 (25-6-1926), from G. of I. (Fin. Dept.) (F 77, 1926)

<sup>4</sup>Letter 676-Cus.27 (14-7-1927), from G. of I. (Fin. Dept.) to Collr. of Customs, Karachi, (F. 612-F-1).

<sup>5</sup>Kabul d-o. letter 347 (3-11-1928) (F. 135).

<sup>6</sup>The procedure is given in detail in letter No. 3 of January 4, 1924, from the British to the French Minister. (F. 135).

<sup>7</sup>Letter 231-1-Cus.25 (3-3-1925), from G. of I. (Fin. Dept.) (F 323, 3).

<sup>8</sup>Letter 162-1-Cus.25 (4-3-1925), from G. of I. (Fin. Dept.) (*ibid*).

<sup>9</sup>Letter 5139 (23-10-1924), from G. of I. (Fin. Dept.) (F 135, 29).

<sup>10</sup>Letter 6795 (22-12-1922), from G. of I. (Com. Dept.) (*ibid* 5).

<sup>11</sup>Letter 339-Cus.25 (21-5-1925) [F 323, 17 (b)].

<sup>12</sup>Kabul d-o. letter 2064 (17-4-1925) and G. of I. d-o letter 323-F. (25-6-1925) (F. 323-F.).

## CHAPTER XXXVII.

### THE NEXT TREATY.

682. **Denunciation : by whom?**—It is clear that the Treaty of 1921, when it was signed, was a disappointment to both the Contracting Parties, and no one anticipated that it would remain in force, as it has, for six years.

The Amir in his proclamation of 1922 called it 'a Treaty for three years',<sup>1</sup> and in August 1923 the British Minister anticipated that it would be denounced by the Afghan Government under Article XIV at the earliest possible date.<sup>2</sup> The Agent to the Governor-General in Baluchistan mentioned—

'the bad results which would arise among the frontier tribes by the denunciation of the treaty by the Amir, the exact effect and meaning of which would not be understood by them, and which, if followed by renewal, would be regarded by them as a diplomatic victory, with a consequent strengthening of his position and weakening of ours . . . It might be advisable, if denunciation by the Amir was a matter of reasonable probability, to anticipate this move by ourselves taking the lead in the matter of denunciation'.<sup>3</sup>

This view was also held by the General Officer Commanding, Waziristan Force.<sup>4</sup>

Sir F. Humphrys however considered that denunciation should be left to the Afghans :—

'It has been hinted to me privately, by both Amir and Foreign Minister, that they desire closer relations, but would prefer denunciation by His Majesty's Government. His Majesty's Government would then be represented, and regarded, as suitor for friendship of Afghan Government, price of which would be enhanced accordingly. In my opinion any appearance in such a rôle would be most serious handicap in negotiations to British delegates. On the other hand, by suggestion that present Treaty is from British standpoint sufficiently workable, though possibly capable of improvement, British delegates would be in position to place on Afghans onus of proposing better terms. As denunciation by either party seems equally susceptible of misrepresentation by Afghans, I do not consider that effect on frontier tribes of denunciation by Afghan Government is factor which should affect main conclusions'.<sup>5</sup>

The Chief Commissioner, N.-W. F. P. agreed in the main with Sir F. Humphrys.<sup>6</sup>

The Agent to the Governor-General in Baluchistan then intimated his agreement with this view, saying that he personally did not advocate prior denunciation.<sup>7</sup>

It was generally held that denunciation by either side would cause some unsettlement in the tribal belt.

The Government of India entirely agreed that 'in present conditions denunciation by us is to be avoided', and considered it desirable that 'if and when denunciation is made by Afghans', they should be induced to issue a communiqué, explaining that their action was the necessary preliminary for the negotiation of a new Treaty.<sup>8</sup>

The Secretary of State then made further enquiries as to the comparative effect on the frontier of denunciation by the Afghans and His Majesty's Government respectively.<sup>9</sup>

The Chief Commissioner, N. W. F. P. considered that it might be to our advantage to forestall the Amir in denunciation, but that—

'In either case effect on tribes will be disturbing, and denunciation by either will be turned to Afghan advantage by Afghan propaganda, which is far more effective amongst tribes than ours. Denunciation by us will, however, certainly be regarded as attempting to resume control of foreign relations, and thus as threatening Afghan independence'.<sup>10</sup>

<sup>1</sup>Para. 221.

<sup>2</sup>Letter 2861-F (17-8-1923), from G. of I., to N.-W. F. and Baln. (A. S. VIII, 175).

<sup>3</sup>Memo. 18-T. (7-10-1923), from Baln., to G. of I. (A. S. IX, 30).

<sup>4</sup>Tel. 7893-G. (29-10-1923), from Waz., to G. of I. (*ibid* 122).

<sup>5</sup>Kabul tel 155 (20-10-1923) (*ibid* 63).

<sup>6</sup>Tel. 934 (29-10-1923), from N.-W. F., to G. of I. (*ibid* 124).

<sup>7</sup>Tel. 210 (3-11-1923), from Baln., to G. of I. (*ibid* 152).

<sup>8</sup>Tel. 1389 (6-11-1923), from Viceroy, to S. of S. (*ibid* 182).

<sup>9</sup>Tel. 93 (9-1-1924), from S. of S., to Viceroy (A. S. XII, 14).

<sup>10</sup>Tel. 21 (11-1-1924), from N.-W. F., to G. of I. (*ibid* 57).

**683. Joint denunciation suggested.**—The Government of India accepted the Chief Commissioner's view as to the probable effect on the tribes, and said :—

' Provided that Afghans take first step, we see no objection to joint denunciation '<sup>1</sup>

**684.—or else no denunciation at all.**—This idea was developed, or rather modified, in a telegram of the following April from the Government of India to the Minister at Kabul :—

' Would it be in your opinion quite impossible to induce Afghan Government to dispense with formal denunciation of existing Treaty whether several or joint ? For both parties simply to sit down quietly, and see how, without proceeding to denunciation, better Treaty could be devised would clearly be best for peace of the border. By inclusion in the new Treaty of an article formally abrogating Article 14, new Treaty could be introduced and old Treaty discarded, without twelve months' notice.'<sup>2</sup>

No formal reply was sent to this telegram, although Sir F. Humphrys noted that he objected to the proposal, as involving a departure from the letter of the Treaty.<sup>3</sup> He himself inclined towards joint denunciation.

**685. The attitude finally approved.**—After an audience with the Amir in November 1924, Sir F. Humphrys thought he might be sounded regarding

' notice to end present Anglo-Afghan Treaty, on ground that closer relations with British are desirable. Presumably any Afghan demands for alteration of Treaty on points of major importance would have to be refused, for reasons given in my despatch No. 56 of 1923.<sup>4</sup> Generally speaking, improvement of spirit in which Afghans work the existing Treaty seems to be the desideratum from British point of view, rather than modification of its terms. I therefore suggest that, should Foreign Minister moot joint denunciation, my attitude should be that His Majesty's Government are content to let the present Treaty remain in force, but are willing that I should discuss with Foreign Minister any minor points of detail which need revising in opinion of Afghans. It is however quite possible that Afghans will not be satisfied with this, and that they might then either denounce themselves, or, by pleading inability to resist Russian pressure in regard to Eastern Consulates, try to induce His Majesty's Government to do so '<sup>5</sup>

These proposals were accepted by the Government of India<sup>6</sup>, and approved by His Majesty's Government.<sup>7</sup>

The Minister, when pressing for acceptance of the principle of a ' subsidy in kind ', wrote :—

' It seems however unlikely that termination of present Treaty can be postponed indefinitely, unless Amir realises that the British Government are prepared to assist him beyond the terms of the Treaty.'<sup>8</sup>

The Government of India remarked :—

' Our attitude towards new Treaty negotiations with Afghanistan is unchanged ..... Assuming that assistance towards national progress, which Foreign Minister and Amir are searching after, is to any degree on the ambitious lines of the assistance which we believe them to be now seeking from Russia..... it seems both unfair and unpolitic not to discourage them from embarking on negotiations which could only end in total disillusionment..... We therefore still feel that Minister should advise Amir to reflect how much would go into the melting pot, if Treaty were denounced, and to invite informal consultation with himself as to the directions in which present Treaty is really open to practical amendment. Of course on general grounds we are not anxious for Treaty negotiations, for these are always unsettling on the frontier.'<sup>9</sup>

It was added that denunciation of the Treaty might adversely affect the Amir's own stability, ' at the moment.....our chief concern '<sup>10</sup>

In a memorandum by the India Office it was noted ' our view is that the present treaty is quite adequate for our purposes '<sup>11</sup>

<sup>1</sup>Tel. 172 (17-1-1924), from Viceroy, to S. of S. (A. S. XII, 132).

<sup>2</sup>Tel. 841 (28-4-1924), from G. of I., to Min., Kabul (A. S. XIV, 134).

<sup>3</sup>(A. S. XIV, n. p 7).

<sup>4</sup>(A. S. XI, 40)

<sup>5</sup>Kabul tel 203 (17-11-1924) (A. S. XVII, 7).

<sup>6</sup>Tel. (27-11-1924), from Viceroy, to S. of S. (*ibid* 19).

<sup>7</sup>F. O. tel. 51 (11-12-1924) (*ibid* 40).

<sup>8</sup>Kabul tel 48 (20-4-1925) (*ibid* 294).

<sup>9</sup>Tel. 509 (11-5-1925), from Viceroy, to S. of S. (A. S. XVIII, 44).

<sup>10</sup>*Ibid.*

<sup>11</sup>(A. S. XVIII, 182).

**686. Denunciation by His Majesty's Government as a means of coercion.**—During the crisis of 1923, denunciation by His Majesty's Government was discussed as a means of bringing pressure upon the Amir, to accelerate compliance with the British demands, and it was only in the event of it becoming 'necessary to convince Amir that indefinite continuance of present relations had been rendered impossible by his default', that Sir F. Humphrys recommended such denunciation.<sup>1</sup> The Government of India doubted the efficacy of denunciation as a means of coercion.<sup>2</sup>

**687. 'Feelers' by the Afghan Government.**—Although both parties have hitherto avoided denunciation, there have been numerous instances of the question of a new Treaty being mooted by the Afghan Government.

The first definite 'feeler' was put forward on April 12, 1924, by S. Muhammad Wali :—

'He asked whether His Majesty's Government would be prepared in my opinion to consider Treaty of close friendship with Afghanistan . . . . It was his wish privately to ascertain whether a proposal would be likely to be entertained in London for an offensive and defensive alliance between our two countries.'<sup>3</sup>

And in April 1925 the Minister reported :—

'I have on several occasions, since my return to Kabul in November, deflected Foreign Minister and Amir from discussion of the subject of new Anglo-Afghan Treaty.'<sup>4</sup>

At his first visit in May 1925 to the Secretary of State for Foreign Affairs the Afghan Minister in London 'spoke of the renewal of the treaty',<sup>5</sup> and returned to the subject in the following July.<sup>6</sup>

In May 1926, S. Muhammad Wali, then acting for the Amir, suggested a treaty 'on the lines of the old Anglo-Japanese alliance'.<sup>7</sup> In accordance with his instructions Sir F. Humphrys 'deflected' these suggestions towards a discussion of practical amendments of the Treaty,<sup>8</sup> and it was probably this attitude 'consistently adopted under instructions', which formed the main reason for the official protest made on May 30, 1927 by the Afghan Minister in London in regard to Sir F. Humphrys.<sup>9</sup> At the same time, the Foreign Minister in Kabul was reported to be attempting 'to produce a status favourable to the discussion of a new treaty'.<sup>10</sup>

**688. The probability of early denunciation.**—Although past predictions that denunciation was impending have not been fulfilled, there is every reason to think that the existing Treaty will be terminated, whether by formal denunciation or informal agreement, in the near future. As has been seen there is a growing tendency on the part of the Amir and his Ministers to discuss a new Treaty, and to establish 'forward bases'<sup>11</sup> for its negotiation :—

'It seems that Afghan Government will not be satisfied until there has been discussion in some form or other of Treaty revision.'<sup>12</sup>

The policy favoured by the Government of India in frontier questions of avoiding discussion of principles, and eliciting the necessary undertakings from the Amir as particular cases arise, may be regarded by the latter—and perhaps with some reason—as a deliberate attempt to acquire imperceptibly, piecemeal, and for nothing, what should be purchased with the full rigour of 'bazar methods' in the next negotiations. This suspicion is clearly to be seen in his attitude on the question of allowances.<sup>13</sup>

Sir F. Humphrys has argued that, in Afghan eyes, there is little to lose by throwing the present Treaty into the melting pot<sup>14</sup>, and perhaps therefore it is

<sup>1</sup>Kabul tel 155 (20-10-1923) (A. S. IX, 63) and see Kabul tel 167 (10-11-1923) (*ibid* 220).

<sup>2</sup>Tel. 1468 (16-11-1923), from G. of I., to Min., Kabul (*ibid* 266).

<sup>3</sup>Kabul tel 86 (14-4-1924) (A. S. XIV, 67-A).

<sup>4</sup>Kabul tel 48 (20-4-1925) (A. S. XVII, 294).

<sup>5</sup>(A. S. XVIII, 182).

<sup>6</sup>(*ibid* 269).

<sup>7</sup>Kabul tel. 73 (29-5-1926) (A. S. XX, 57)

<sup>8</sup>See Kabul memo. 475-4 (4-9-1926) (*ibid* 187-A).

<sup>9</sup>Tel. 1221 (9-6-1927), from Viceroy, to S. of S. (A. S. XXI, 279).

<sup>10</sup>Kabul despatch 50 (13-5-1927) (*ibid* 228).

<sup>11</sup>*Ibid.*

<sup>12</sup>Tel. 1399 (5-7-1927), from Viceroy, to S. of S. (A. S. XXII, 28).

<sup>13</sup>Para. 474

<sup>14</sup>Kabul despatch 42 (11-6-1925) (A. S. XVIII, 123).

only the tactical disadvantage of taking the first step which has hitherto restrained the Amir from denunciation.

It seems probable however that this consideration will not prevail with him much longer.

It is significant to contrast the suspicion with which on the conclusion of the Treaty in 1921 the Afghan Government regarded any tendency to slur the distinction between neighbourly relations and friendship,<sup>1</sup> with the recent charges of coldness brought against Sir F. Humphrys for failing to encourage their overtures for closer relations.<sup>2</sup> The result has justified Sir F. Humphrys' forecast of August 1922, as to the readiness with which the Afghan would react to the ' stimulus of assumed indifference'.<sup>3</sup>

**689. The negotiation of a new Treaty.**—The questions likely to arise in the negotiations for a new Treaty were discussed at length in Kabul despatch 56 of December 4, 1923<sup>4</sup>, and it is therefore not necessary to do more than to summarise briefly the recommendations made and the conclusions reached in that despatch, and to notice how far these have been affected by subsequent discussions.

The Government of India have never expressed their views on the despatch as a whole, but some indication of what these are may be gleaned from the later correspondence, in which most of the questions raised in the despatch have been discussed separately.

**690. Conclusions and recommendations of Kabul despatch 56 of December 4, 1923.**

(1) *Negotiations for the next Treaty should be conducted in Kabul*

The point was not discussed by the local administrations whose views were invited. The Government of India had previously remarked :—

'Amir's task of representing His Majesty's Government as suitors for his favour will be rendered much easier, if negotiations are to be, or at least to begin, at Kabul'<sup>5</sup>

The India Office view is :—

'That Kabul (which for this particular purpose is more the centre of things) is preferable to London as a venue, but that India would be the best venue of all. There is little likelihood that the Afghans would agree to the latter'.<sup>6</sup>

It seems just possible that conversations preliminary to the negotiation of a new Treaty may be opened in London during the Amir's forthcoming visit.

(2) *The Afghan delegates should be clearly informed that His Majesty's Government no longer guarantee the Northern frontier of Afghanistan; that British action in the event of the violation of that frontier will be dictated solely by considerations of self-interest, which in turn will be largely affected by the course of Afghan policy in the meantime.*

The question arose in a practical form at the Genoa Conference of 1922, and again during the negotiation of the Anglo-Soviet Agreement of 1924. The recommendation has not been accepted by His Majesty's Government precisely in the form in which it was made.

The subject is discussed at length elsewhere.<sup>7</sup>

(3) *No attempt is to be made to regain control of Afghan foreign relations, or to effect the exclusion of diplomatic representatives of the Soviet from Kabul.*

The Government of India remarked in addressing the Frontier Administrations on the subject of the despatch :—

"You will probably agree that the hope of regaining the old position of predominance at Kabul is now illusory, and that with its abandonment the case for a recurring cash subsidy falls to the ground. The Government of India are not yet convinced that for a recurring cash subsidy should be substituted a policy of 'subsidy in kind'.<sup>8</sup>

The Agent to the Governor-General in Baluchistan agreed<sup>9</sup>, and so did the Chief Commissioner, N.-W. F. P.<sup>10</sup>

<sup>1</sup>Para. 192.

<sup>2</sup>Para 328

<sup>3</sup>Kabul despatch 11 (17-8-1922).

<sup>4</sup>(A. S. XI, 40)

<sup>5</sup>Tel. 1389 (8-11-1923), from Viceroy, to S. of S. (A. S. IX, 182).

<sup>6</sup>I. O. memo (7-5-1925) (A. S. XVIII, 182).

<sup>7</sup>Ch. XXII

<sup>8</sup>Letter 627 (1-1-1924), from G. of I. (A. S. XI, 240).

<sup>9</sup>Letter 17 (16-1-1924), from Bain, to G. of I. (A. S. XII, 152).

<sup>10</sup>Letter 402 (4-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 13).

When measures for countering the Russian penetration of Afghanistan were under discussion Sir F. Humphrys wrote :—

' If a more heroic policy than the help and encouragement suggested by me is really needed I trust that it will not take the form of an attempt to exclude Russians from Afghanistan by negotiation with the present Amir.'<sup>1</sup>

It seems to have been generally accepted that no negotiations should again be undertaken on the lines of the ' exclusive ' policy of 1921.

(4) *Any demand for an annual subsidy in cash of a fixed amount should be rejected.*

See (3) above.

(5) *Gifts in kind should be made at irregular intervals, of a value not fixed, provided that the Amir's attitude was friendly.*

*The value of the gifts so made in any one year should not exceed seven lakhs.*

This proposal for a so-called ' subsidy in kind ' was misunderstood by the Government of India, as is shown by their remarks representing it as a substitute for the old cash subsidy, [see (3) above] and later as a ' yearly tip '.<sup>2</sup>

The principle however was eventually accepted by them.<sup>3</sup>

(6) *Any demand for territorial expansion should be rejected.*

Sir N. Bolton wrote :—

' I should be very sorry to see anything approaching a reopening of the question of boundary, as settled by the Durand Agreement '<sup>4</sup>

Sir F. Johnston agreed that no territorial concessions should be given.<sup>5</sup>

At the Third Kabul Conference of 1921, Sir H. Dobbs told the Afghan representatives :—

' Our Frontier was fixed on two considerations :

(1) security of the local people near the Frontier from tribal raids,

(2) the general security of India.

Under the second head it was fixed with a view to preventing invasions from Afghanistan itself, or from Russia through Afghanistan. It was fixed after a great deal of consideration by the highest strategists of the day. With regard to the argument which the War Minister has employed, that is, that the Bolsheviks are getting stronger every day, and are threatening India, I must point out that that very argument is in favour of our not changing our present strategic frontier.'<sup>6</sup>

(7) *A demand for the removal of a particular frontier post or for defortification within a specified zone along the frontier is to be considered in the light of military and frontier requirements, but should probably be refused.*

Sir N. Bolton said :—

' As regards administrative concessions in the independent belt I think we should refuse to discuss them altogether.'<sup>7</sup>

Sir F. Johnston did not deal with the point.

The question of ' defortification ' or ' limitation of fortification ' has arisen in more than one instance<sup>8</sup>, and would seem to require further consideration rather as a reciprocal undertaking or ' self denying ordinance ', than as a ' concession '.

It is just possible that it would be considered worth while to allow the Afghans the ' diplomatic triumph ',<sup>9</sup> which they would see in such an arrangement, in view of the removal which it would effect of existing causes of friction.

(8) *A demand for restriction of British military action in the tribal belt should be refused.*

Sir N. Bolton agreed [*vide* (6) above].

<sup>1</sup>Kabul despatch 38 (6-6-1925) (A. S. XVIII, 102).

<sup>2</sup>Para. 573.

<sup>3</sup>Tel. 1323 (22-10-1925), from Viceroy, to S. of S. (A. S. XIX, 67) and see para. 576.

<sup>4</sup>Letter 402 (4-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 13).

<sup>5</sup>Letter 17 (16-1-1924), from Baln., to G. of I. (A. S. XII, 152).

<sup>6</sup>(A. S. IV, 801) and see Ch. XVII

<sup>7</sup>Letter 402 (4-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 13).

<sup>8</sup>See paras. 368, 383, 388.

<sup>9</sup>Kabul despatch 56 (4-12-1923) 6 (3) (b) (A. S. XI, 40).

Sir F. Johnston said :—

“ For us to limit ourselves as to the employment of troops and aeroplanes in the independent belt would be to deny our own sovereignty.”

That some demand of this kind might be put forward seems probable from the recent protest made by the Afghan Minister in London against the ‘forward policy’ of the Government of India in the tribal belt.<sup>1</sup>

(9) *That the prohibition of Afghan interference on the Indian side of the Durand Line precludes any demand for Afghan co-operation on the Frontier, at any rate on that side of the Line.*

Sir F. Johnston expressed his concurrence with this conclusion, and went on :—

‘ The most we could ask from the Amir is that, in the event of our undertaking operations against our own tribes, he should, if these operations are undertaken at his request, or on complaint by him of the conduct of these tribes, take measures to close his frontiers to members of these tribes, and that in other cases he should abstain from any unfriendly act which assisted these tribes.’

Sir N. Bolton’s comment on this passage in the despatch was :—

‘ As far as the Amir is concerned the independent belt must be as much our territory as British India in which we must insist on his not interfering. We should certainly not ask for his assistance. I cannot help feeling that Colonel Humphrys has misinterpreted the phrase ‘co-operation for the maintenance of peace on our common border’. Surely the ‘border’ here is the actual line, and not the independent belt, and the Amir’s co-operation is only required on his side of the line.’<sup>2</sup>

This was in fact the point which Sir F. Humphrys had intended to emphasise, and the two instances of Afghan interference, quoted in the despatch as having received official approval, both concerned the Indian side of the line.

His remarks in connection with the Finnis case make this point clear. The Government of India had stated :—

‘ The direct connection of the perpetrators with itself renders the necessity for the fullest co-operation on the part of the Afghan Government far greater than in any previous case.’<sup>3</sup>

And Sir F. Humphrys thought it worth while to point out :—

‘ In asking for friendly co-operation I consider that care should be taken to avoid suggesting that Afghan interference on the British side of the line will be welcomed, or even tolerated.’<sup>4</sup>

On this the Government of India commented :—

‘ We concur with regard to definition of co-operation, and to convey any other suggestion was never our intention.’<sup>5</sup>

(It is worth noticing however that in a signal instance of Afghan interference in connection with the Zakka Khel raids of November and December 1926, no protest was made, while secret support was actually given by the Frontier authorities to the Afghan official sent by the Amir to the Indian side of the line.<sup>6</sup>).

(10) *Gifts of arms, if requested, may in reasonable quantities be included in the ‘subsidy in kind’.*

<sup>1</sup>Para. 328.

<sup>2</sup>Letter 402 (4-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 13).

<sup>3</sup>Tel 28 (18-12-1923), from Viceroy, to S. of S. (A. S. XI, 61).

<sup>4</sup>Kabul tel. 194 (23-12-1928) (*ibid* 113).

<sup>5</sup>Tel. 29 (3-1-1924), from Viceroy, to S. of S. (*ibid* 243).

<sup>6</sup>Para. 318.

The Government of India are not in favour of this proposal.<sup>1</sup>

(11) *Gifts of aeroplanes might be so included, if no responsibility were taken for their subsequent maintenance.*

So long as the Afghan air force is under Russian control it seems scarcely necessary to discuss this proposal. The Government of India are however prepared to consider 'at a later stage' assistance over civil aviation<sup>2</sup> between India and Afghanistan.

(12) *Educational facilities, gifts of material and machinery, and the loan of experts might form part of the 'subsidy in kind'.*

This proposal has been accepted generally by the Government of India, except, in present circumstances, as regards educational facilities.<sup>3</sup>

(13) *The demand for an Afghan Trade Agent at Chaman requires consideration.*

The point was not specifically mentioned by the Government of India in addressing Sir F. Johnston, who did not discuss it. It has been raised more than once subsequently, and considerable importance is attached to it by the Afghan Government.

In September 1926 it was put forward by the Commerce Minister in a conversation with Sir F. Humphrys<sup>4</sup>, and in May 1927 was the subject of a proposal by the Afghan Government to amend the Treaty.<sup>5</sup>

It seems therefore certain that it will figure among the Afghan demands in the negotiations for the next Treaty. The subject is noticed in greater detail elsewhere.<sup>6</sup>

(14) *And so too that for an Afghan Consul at Peshawar.*

Sir N. Bolton thought :—

'There would be advantages in having a regular appointment of Consul, rather than the present irregular one of trade agent.'<sup>7</sup>

And it has subsequently been suggested that the concession might be given in return for the admission of British Consuls to Northern Afghanistan.

(15) *The Bolshevik menace is not a suitable subject for Treaty negotiation. It may however be considered necessary to stipulate and bargain for the continued exclusion of the Eastern Russian Consulates.*

The Government of India are not prepared to countenance the admission of Russian Consulates to Eastern Afghanistan, and negotiations will therefore have to be undertaken for their continued exclusion.<sup>8</sup>

There are indications however that the Afghan Government will attempt to obtain the present consideration for the exclusion of these Consulates, (*viz.*, the free transit of goods to Afghanistan, etc.), without any bargain and simply on the ground of international law and custom.<sup>9</sup>

(16) *Demands may be made under Articles I and II of the present Treaty for the permanent cessation of the three main forms of Afghan intrigue among tribes domiciled on the Indian side of the Durand Line :—*

(a) *Payment of allowances to British tribes.*

(b) *Employment of tribesmen ordinarily domiciled on the Indian side of the Durand Line in the neighbourhood of the frontier.*

(c) *The reception of tribesmen from the Indian side of the line at official meetings with the Amir and his officers.*

The subject is discussed at length elsewhere,<sup>10</sup> and it is here only necessary to mention briefly the existing situation under each of these heads.

(a) The subject has been discussed by the Minister with the Amir who made certain oral promises, but declined to give any comprehensive undertakings before the conclusion of a new Treaty.<sup>11</sup>

<sup>1, 2, 9</sup>Tel 1323 (22-10-1925), from Viceroy, to S. of S (A. S. XIX, 67). For 'Arms' see Ch. XXVIII, for 'Aeroplanes' Ch. XXIX, and for 'material assistance' Ch. XXX.

<sup>4</sup>Kabul memo. 475-4 (4-9-1926) (A. S. XX, 187-A).

<sup>5</sup>Kabul despatch 51 (13-5-1927) (A. S. XXI, 243-A).

<sup>6</sup>Para. 642.

<sup>7</sup>Letter 402 (4-2-1924), from N.-W. F., to G. of I. (A. S. XIII, 13).

<sup>8</sup>See paras. 614, 615.

<sup>9</sup>Kabul despatch 51 (13-5-1927) (A. S. XXI, 243-A).

<sup>10</sup>Ch. XXIV.

<sup>11</sup>Para. 474.

The Government of India and His Majesty's Government are agreed that no general demand should be made on the point at present, but that 'while never at any time admitting the Afghan right to make these payments, and constantly bringing pressure on the British tribes not to receive them', formal protests should be made 'only in new or flagrant cases.'<sup>1</sup>

(b) This demand has already been formally made, although compliance with it has in the opinion of the Government of India not been altogether satisfactory.<sup>2</sup>

(c) The objections of His Majesty's Government to this practice have been communicated, as occasion arose, to the Afghan Government.<sup>3</sup>

As regards the whole question of Afghan interference His Majesty's Government have remarked :—

' Negotiations for a revision of that Treaty (*i.e.*, the treaty of 1921) would, as the Government of India evidently recognise, almost inevitably involve the discussion, in general terms, of the question of Afghan interference with British tribes, and no less probably the presentation by His Majesty's Government of a formal demand, such as it is the aim of the policy outlined in your letter to avoid, for the absolute cessation of the practice along the whole length of the Frontier.'<sup>4</sup>

A demand then will in all probability be made in general terms, and the question then arises whether it can be made under Articles I and II of the existing Treaty, or whether an explanatory note will have to be added to these articles to cover the particular activities of either party to which the other takes exception. Mr. Pears and the Legislative Department of the Government of India consider that such an explanation should be added,<sup>5</sup> while Sir N. Bolton<sup>6</sup> and Sir F. Johnston<sup>7</sup> are of opinion that the demand can be made under the terms of the present Treaty.

It may be noticed that in February 1924 the Government of India wrote in this connection :—

' In this connection Article I is in our opinion irrelevant,..... we are however of opinion that read without reference to Article I, Article II operates to prohibit the Amir's interference on our side of the Durand Line, whether within or without British India '<sup>8</sup>

By August 1926 however it appears that they had changed their opinion :—

' The payment of allowances by the Afghan Government to tribes on the Indian side of the Durand Line is clearly a breach no less of international usage than of Article I of the present Anglo-Afghan Treaty. .... Such protest ..... would more suitably be based on Article I of the Treaty '<sup>9</sup>

The responsibilities which will have to be undertaken by the Government of India, if the demand for the cessation of Afghan interference is enforced, are discussed elsewhere.<sup>10</sup>

(17) *The treatment of outlaws requires to be settled by a special agreement on a basis of reciprocity.*

Sir N. Bolton did not agree :—

' Any agreement which tends to crystallise our respective friendly obligations in this respect, at the minimum, is to be avoided. I would rather rely on the acceptance of liability for the acts of each others' subjects or outlaws given asylum, and settle the cases as they arise by punishment of the criminals and payment of indemnity.'<sup>11</sup>

Sir F. Johnston wrote :—

' The only solution seems to consist in the removal from the border of outlaws from either Government whose presence is a menace to border peace, and in treating as indemnity cases offences committed in the territory of the other by subjects of either power or outlaws'

<sup>1</sup>Para 480 (See A. S. XX, 167, 269).

<sup>2</sup>Para 487.

<sup>3</sup>Para 493.

<sup>4</sup>I.O. letter 2967 (13-10-1926) (A. S. XX, 269).

<sup>5</sup>Para 364.

<sup>6</sup>Ex. letter 36 (4-1-1924), from N.W.F., to G. of I. (A. S. XI, 292-A).

<sup>7</sup>Letter 17 (16-1-1924), from Bain, to G. of I. (A. S. XII, 152).

<sup>8</sup>Tel. 386 (20-2-1924), from Viceroy, to S. of S. (A. S. XIII, 76).

<sup>9</sup>Letter 412 (1)-F (18-8-1926), from G. of I., to U.S. of S. (A. S. XX, 167).

<sup>10</sup>Paras 445, 478, 480.

<sup>11</sup>Letter 402 (4-2-1924), from N.W.F., to G. of I. (A. S. XIII, 13).

who have been given refuge. For the reasons I have already given, I am doubtful if the Amir would press too strongly for cases on the Afridi and Wazir borders. In many cases along the border, such claims, which would mostly be tribal, might advantageously be settled by Joint Commissions<sup>1</sup>, for which some machinery might well be constituted<sup>2</sup>.

The undertakings already given by the Afghan Government in regard to 'heinous offenders'<sup>3</sup>, the proposal by the Afghan Foreign Minister for an extradition agreement,<sup>4</sup> and the case law which is being evolved regarding refugees and raids<sup>5</sup>, are noticed elsewhere.

The sense of the recent noting on the subject is that the admission of obligations in regard to outlaws should rather be allowed to evolve from particular precedents, than be made the subject of a formal agreement, as suggested in the despatch.

(18) *Some arrangement should be made for the preservation of British graveyards in Afghanistan in a decent condition.*

This is a matter for consideration rather by His Majesty's Government than the Frontier Administrations, by whom it has not been discussed.

It was reported in July 1927 that in the case of the Sherpur cemetery :—

'At the repeated requests of the British Minister, the Afghan Government are having the walls rebuilt. An entrance gate is to be erected in one face of the wall'<sup>6</sup>,

and it may be considered preferable that the matter should be arranged in this way, through informal representations at Kabul, rather than raised in Treaty negotiations.

691. **The schedules.**—It is suggested in the despatch that neither Schedule I nor Schedule II of the present Treaty is really necessary, and it is noticed that the vexatious restrictions made in the latter have in some instances been waived in practice [e.g., (e) (i) (k)]. The presence of these restrictions in the present Treaty however gives opportunities to the Afghan Government for indulging in 'pin pricks' and occasional protests,<sup>7</sup> and their abolition would certainly appear to be desirable, the matters to which they apply being regulated by ordinary international usage.

692. **Demands suggested by either side subsequently to the despatch of December 4, 1923.**—Under this head may be included the Afghan Foreign Minister's hint of a claim to free transit under the general tenour of international law<sup>8</sup>, the requests made by the Afghan Government for the relaxation of the requirements of the existing Trade convention in regard to refunds of customs duty on goods transiting India to Afghanistan, for the exemption of Afghan subjects from income tax in India, for the refund of Indian excise duty on exports to Afghanistan,<sup>9</sup> and for the grant of material assistance,<sup>10</sup> and on the other side the proposal made by Sir F. Humphrys for the location of British Consulates in Northern Afghanistan<sup>11</sup>, and the desideratum of continued exclusion—called by the Government of India an 'established principle'<sup>12</sup>, but probably not accepted as such by the Afghan Government—of Russian personnel from Eastern and South Eastern Afghanistan.

693. **A forecast.**—In the absence of any comprehensive statement of their views by the Government of India or His Majesty's Government on Kabul despatch 56 of December 4, 1923, any conclusions as to what is likely to be demanded from, or conceded to, the Afghan Government in the negotiations for the revision of the present Treaty can clearly be only tentative in character. Subject to this reservation the following suggestions are offered :—

<sup>1</sup>Para. 459.

<sup>2</sup>Letter 17 (16-1-1924), from Baln., to G. of I. (A. S. XII, 152).

<sup>3</sup>Para. 520.

<sup>4</sup>Para. 521.

<sup>5</sup>Para. 517.

<sup>6</sup>Diary M. A., Kabul (9-7-1927) (5).

<sup>7</sup>e.g., regarding the number of personnel in the British Legation, Kabul tel. 95 (2-8-1927) (A. S. XXII, 59).

<sup>8</sup>Para. 634.

<sup>9</sup>Kabul memo. 475-4 (4-9-1926) (A. S. XX, 187-A).

<sup>10</sup>Kabul tel. 104 (14-8-1926) (*ibid* 162).

<sup>11</sup>Para. 423.

<sup>12</sup>Para. 431.

**694. Possible British demands.**

1. For an explanatory provision that the terms of Articles I and II of the Treaty preclude the three specific forms of Afghan interference on the Indian side of the Durand Line.

2. For an undertaking that the Afghan Government will not re-employ in the vicinity of the Frontier persons who have deserted from the armed forces of His Majesty's Government. (The demand made in 1923 was for the disbandment of the deserters enlisted in the Khost Militia, and was satisfied.<sup>1</sup>)

3. For the settlement by a formal agreement of the question regarding the treatment of outlaws.<sup>2</sup>

4. For a provision that the admission, for anything more than temporary purposes, by the Afghan Government to its four Eastern and South Eastern provinces of Russian officials<sup>3</sup> will be regarded as an unfriendly and provocative act.

5. For the admission of British Consulates to Northern Afghanistan.

(This would clearly be difficult to secure in combination with 4.)

6. For the grant of 'most favoured nation' and 'national' treatment in commercial matters to British and Indian subjects, in Afghanistan.

(This would be likely to arouse Afghan fears of 'penetration', and would probably be strenuously resisted.)<sup>4</sup>

7. For the substitution for Schedule II of the Treaty of a general clause providing reciprocally for treatment in accordance with international usage.

**695. Possible Afghan demands.**

**(A) To be rejected.—**

(1) For a cash subsidy.

(2) For territorial concessions.

(3) For administrative concessions to the tribes and the restriction of military operations in the tribal belt.

(4) For exemption of Afghan subjects from Indian Income Tax.

**(B) To be considered.—**

(1) For the grant of material assistance.

(This would not be promised in the Treaty, but an assurance might be given in general terms of willingness to co-operate in the peaceful progress of Afghanistan so long as her policy is friendly. A list of the forms such assistance might take might be given on the lines of the Mussoorie *aide memoire*. This list might presumably include educational facilities, gifts of material and machinery, development of communications, and loan of experts, but would not mention arms or aeroplanes.)

(2) For the support of His Majesty's Government in the event of violation of Afghan territory by a Third Power.

(A cautiously worded assurance of diplomatic support dependent on the aggression in question being unprovoked, and a friendly attitude being maintained by the Afghan Government, might be considered.)<sup>5</sup>

(3) For defortification of a zone along the Durand Line.

(4) [As the counterpart of British demand (1)]. For cessation of the enlistment of Afghan subjects, particularly Hazaras, in Indian military formations.

(5) For location of an Afghan Trade Agent at Chaman.<sup>6</sup>

(6) For location of an Afghan Consul at Peshawar.

(7) For free transit of goods to Afghanistan in the spirit—though not the letter—of the Barcelona Convention.<sup>7</sup>

<sup>1</sup>Para 253.

<sup>2</sup>But see para 690 (17).

<sup>3</sup>If it were undesirable to provide against Russians 'eo nomine', a formula would have to be found, perhaps 'officials of a Power which is not a member of the League of Nations' might be considered.

<sup>4</sup>See para 644.

<sup>5</sup>c.f. paras 56, 396.

<sup>6</sup>As regards the Trade Agent at Parachinar see memo. 676 (8-2-1924), from N.W. F., to G of I (A. S. XIII, 187).

<sup>7</sup>Para 634.

For minor desiderata which the Afghans failed to obtain at the Trade Conference of 1922-23, see para. 645.

(8) Failing (7) for substitution of the bond system for the present system of cash payment and subsequent refund of customs duty.

(9) For refund of Indian excise duty on goods exported to Afghanistan.<sup>1</sup>

(10) For abolition of the Khyber<sup>2</sup> and Kabul river (Mohmand) tolls.<sup>3</sup>

**696. Letter III.**—One of the most difficult questions for settlement will probably be found to arise in regard to the continuance of the bargain recorded in Letter III attached to the Treaty.

Sir F. Humphrys has suggested the possible admission of Russian Consulates to the Eastern zone, and the release thereby of one of the valuable assets at present given to the Afghans in return for the exclusion of these Consulates.<sup>4</sup>

The Afghan Government seem to be working along the same lines when they claim freedom of transit under international law without any *quid pro quo*<sup>5</sup>

Both these attempts however to release assets for use in other directions seem likely to be frustrated. On the one hand the Government of India have definitely pronounced against Sir F. Humphrys' suggestion, and stated their desire not only to retain the exclusion of the Russian Consulates, but also to use it as a basis for the exclusion in practice from the 'South-eastern zone' of Russian personnel generally.<sup>6</sup> On the other hand, while there is considerable force in the Afghan claim to freedom of transit, this concession does not form the whole of the *quid pro quo* specified in Letter III ; there remains the exemption from customs of imports to India from Afghanistan. So far as discussions have gone at present, it appears that there is no international obligation resting upon India to admit imports by land free of customs duty, and this part of the *quid pro quo* at any rate therefore remains a valid asset for purposes of negotiation. Its annual value may be taken as something over 20 lakhs. Presumably however any imposition of duty on imports from Afghanistan would involve similar action on the other land frontiers of India.

**697. Manceuvring for position.**—Further it will be noticed that on the part of both Governments there is a tendency to tighten their hold on any assets which remain available for use in future negotiations, and both are consequently on the watch to check any usurpation by the other of rights beyond the Treaty.

This seems the most probable explanation of the attitude recently adopted by the Afghan Government in regard to questions of diplomatic privilege, and a similar policy has been outlined by the Government of India :—

'Just now when it is proposed to adopt an attitude, firm indeed in essentials, but conciliatory and friendly towards Afghanistan's minatory effort to obtain a more lucrative Treaty, to take action striking at the chief benefit which she enjoys under the present Treaty, and thus to impair its value in her eyes might at first sight seem inconsistent. On the other hand, if as seems likely we are forced to proceed to the ventilation of a new Treaty, we shall clearly be at a great disadvantage if Afghanistan is left with the idea that the irregular benefits she now enjoys flow automatically from the present neighbourly Treaty. Tactically indeed the return to the actual terms of the Treaty is from this point of view almost vital. And finally interference with an established privilege, such as the present abuse is becoming, grows increasingly difficult with the lapse of time. The balance in short appears strongly in favour of the proposed tightening up of procedure'.<sup>7</sup>

**698. A possibility.**—It may possibly be found, when the Treaty comes to be revised that the simplest, as well as the most effective, tactics will be to make all benefits granted to Afghanistan subject to a single general condition, which in the present Treaty is attached only to the importation of arms, viz., the maintenance of a friendly attitude by the Afghan Government, rather than to make them the subjects of several separate bargains.

<sup>1</sup>Para. 649.

<sup>2</sup>Para. 638.

<sup>3</sup>Para. 637.

<sup>4</sup>Para. 617.

<sup>5</sup>Para. 634.

<sup>6</sup>Para. 431.

<sup>7</sup>Memo. 148-F. (14-7-1927), from G. of I., to C. d'A., Kabul. (F-663-F.127, 22).

Sir F. Johnston considered that :—

' What is needed is not further definition or promises or engagements formally entered into in return for concessions, but good faith, friendliness, and honest intention ', and although few would perhaps agree with him when he goes on to argue that ' if there is not in existence an Afghan Government sufficiently stable and strong to observe its treaty conditions, and in possession of sufficient good intention and good faith to carry them out, it seems futile to conclude any treaty,'<sup>1</sup>

the explicit statement of the general condition suggested above would serve to bring out what Sir F. Johnston evidently wished to emphasise—the primary necessity of good faith and friendliness on the part of the Afghan Government.

On the other side British good will is essential to the Amir, and any pretence that he can do without it may safely be regarded as a bluff. Whatever opinions may be held of S. Nadir Khan's sincerity when he said that ' recent events had shown more clearly than ever how completely dependent his country was on the British Empire for her progress, and even for her internal security ' ;<sup>2</sup> there can be no doubt that the statement went very little beyond the facts.

Consequently if, as Sir F. Humphrys argues<sup>3</sup>, the explicit provisions of the Treaty give the Afghans very little in the way of tangible benefits, it will be useful to remember that they cannot face the loss of what any Treaty, whether ' neighbourly ' or ' friendly ', implies, *viz.*, the assurance of British good will.

#### Miscellaneous Points.

699. **The necessity for expert assistance in technical matters.**—In connection with the proposal to impose duty on river borne timber from Afghanistan under Article VII of the present Treaty, the Foreign Secretary noted :—

' This case seems to emphasise the desirability of deputing a commerce expert on duty with the negotiations of an Afghan Treaty, at any rate at some convenient stage in the proceedings. It is clearly important to get the drafting of technical matters absolutely word perfect '<sup>4</sup>

It may be suggested that such a commerce expert would hardly have his time filled during the negotiations for a new Treaty, which would probably be prolonged, unless a revision of the present Trade Convention were undertaken, perhaps by a sub-committee of the delegates on either side, simultaneously with that of the Treaty. Such a procedure might be convenient also on general grounds.

700. **Credentials.**—The Afghan Government are very vigilant in maintaining their claim to deal with the London Foreign Office.<sup>5</sup> Their objection to the authority of Sir H. Dobbs' Mission of 1921 has already been mentioned.<sup>6</sup> The point was also considered in connection with the Peiwar Joint Commission of 1926-27.<sup>7</sup>

**701. Ratification.**—At the instance of His Majesty's Government<sup>8</sup> Sir H. Dobbs was instructed to make the Treaty of 1921 subject to ratification.<sup>9</sup> It was recommended however, that, in the event of the ' exclusive ' treaty being concluded, ratification should be dispensed with, in order to obviate the danger of outside influences being brought to bear on the Amir between signature and ratification. It was stated that our modern relations with Afghanistan ' can show precedent for such action '<sup>10</sup>

[The last precedent for ratification of an Anglo-Afghan Treaty had in fact been the Treaty of Gandamak (1879)].<sup>11</sup>

This proposal was accepted by His Majesty's Government, who however wished to see and approve the final text before signature.<sup>12</sup> The Afghan Gov-

<sup>1</sup> Letter 17 (16-1-1924), from Baln., to G. of I. (A. S. XII, 152).

<sup>2</sup> Kabul despatch 52 (17-4-1924) (A. S. XIV, 103).

<sup>3</sup> Para. 688.

<sup>4</sup> Minute by Sir D. Bray (30-10-1924) (F. 537-F, 1923, n. p. 15).

<sup>5</sup> As regards representatives of the India Office dealing with Afghan affairs in Parliament see Kabul tel 27 (26-5-1922) and tel. 2417 (23-6-1922), from S. of S., to Viceroy (A. S. VII, 422, 460).

<sup>6</sup> Para. 182 (and see A. S. IV, 764-765).

<sup>7</sup> Para. 321.

<sup>8</sup> Tel. 1343 (5-3-1921), from S. of S., to Viceroy (A. S. V. 48).

<sup>9</sup> Tel. 316 (7-3-1921), from G. of I., to Br. Rep., Kabul (*ibid* 51).

<sup>10</sup> Tel. 840 (9-6-1921) from Viceroy, to S. of S. (*ibid* 338).

<sup>11</sup> Minute by Sir D. Bray (8-6-1921), (*ibid* n. p. 95).

<sup>12</sup> Tel. 2948 (14-6-1921), from S. of S., to Viceroy (*ibid* 363).

ernment were prepared to dispense with ratification if Sir H. Dobbs received authorisation for final signature.<sup>1</sup> This authority was given in a Kharita to the Amir, which was not however to be delivered until occasion demanded.<sup>2</sup>

It was then proposed by the Government of India that ratification should also be dispensed with in the case of a 'pis aller' Treaty.<sup>3</sup>

This idea however seems to have been dropped<sup>4</sup>, and the Treaty as finally signed, although it came into force on signature, provided for ratification within two and a half months. (Article XIV).

The ordinary procedure is for the instrument of ratification to be attached to a certified copy<sup>5</sup>, but the Afghans expected exchange of ratified originals.<sup>6</sup>

The ratified Treaty was brought out from England by Major Humphrys and ratifications were eventually exchanged at Kabul on February 6, 1922; the signatories being the King and the Amir. The delay in exchange beyond the period specified in Article XIV was due to Afghan dilatoriness, and condoned.<sup>7</sup>

The Trade Convention was signed on June 5, 1923 and Article V provided for the exchange of ratifications in London within two months of signature. The exchange of notes taken to constitute the exchange of ratifications did not however take place until August 4, 1923, the delay as in the case of the Treaty being condoned.<sup>8</sup>

The period prescribed for ratification of the Russo-Afghan Treaty of 1926 was three months from signature, which took place on August 31, 1926.<sup>9</sup> Exchange of ratifications was not however effected until April 10, 1927.<sup>10</sup>

The consistent unpunctuality of the Afghan Government in the matter of ratification has to be borne in mind.<sup>11</sup>

**702. Publication.**—The publication of the letters attached to the Treaty of 1921 was discussed in March and April 1922.<sup>12</sup> The British Minister expected that the Afghan Government would oppose the publication of letter III regarding the Russian Consulates, but recommended presenting them with a *fait accompli*.<sup>13</sup>

The Afghan Government then asked that the question might be discussed with the Afghan Minister in London<sup>14</sup>, and the Government of India recommended that their wishes should be met.<sup>15</sup>

<sup>1</sup>Tel. 171 (18-6-1921), from Br Rep., Kabul, to G. of I. (A. S. V 382).

<sup>2</sup>Letter 52-F.C. (13-7-1921), from G. of I., to Br. Rep., Kabul, (*ibid* 530).

<sup>3</sup>Tel 1843 (30-7-1921), from Viceroy, to S of S (A. S. VI, 48).

<sup>4</sup>See tel 261 (23-8-1921), from Br. Rep., Kabul, to G of I. (*ibid* 186).

<sup>5</sup>Tel. 3 (2-1-1922), from S of S., to Viceroy (*ibid* 742).

<sup>6</sup>Tel 3 (3-1-1922), from Viceroy, to S of S (*ibid* 743).

<sup>7</sup>Tel 53 (5-2-1922), from Capt. Hanna, to G of I and Kabul despatch 1 (21-2-1922) (A. S. VII, 130, 187).

<sup>8</sup>F. O despatch 53 (4-9-1923) (F 188-F, 263).

<sup>9</sup>Kabul despatch 80 (11-9-1926) (A. S XX, 196).

<sup>10</sup>(A. S. XXII, 1)

<sup>11</sup>See Kabul despatch 56 (4-12-1923), para 2 (A. S. XI, 40).

<sup>12</sup>Tel 1563 (13-4-1922), from S of S., to Viceroy (A. S. VII, 268).

<sup>13</sup>Kabul tel 58 (8-5-1922) (*ibid* 321).

<sup>14</sup>Kabul tel 60 (9-5-1922) (*ibid* 324).

<sup>15</sup>Tel 618 (15-5-1922), from Viceroy, to S of S. (*ibid* 331).

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## APPENDIX I.

### CERTAIN ADMINISTRATIVE QUESTIONS ARISING OUT OF THE WAR.

703. **Martial Law.**—Martial law was proclaimed on May 8, 1919 in Peshawar city,<sup>1</sup> with the authority of the Government of India, and the Chief Commissioner asked whether any special notification was required to regularise its introduction.<sup>2</sup> The Government of India noted that a simple declaration by the Chief Commissioner was sufficient;<sup>3</sup> and it was noted in the Home Department that it was not proposed to introduce martial law in the North-West Frontier Province under the Bengal Regulation of 1804, as had been done in the Punjab, but martial law *sans phrase*.

Martial law was abrogated in Peshawar district on September 7, 1919.<sup>4</sup> The effect of its declaration on the Chief Commissioner's position was explained to him by the Government of India :—

'The position will be that General Officer Commanding North-West Frontier becomes the supreme authority in virtue of his position Commander-in-Chief intends, however, to instruct him to appoint you Military Governor of such portions of the North-West Frontier as are under martial law, and of course you will retain your position as the Chief Commissioner. The Secretary of State will be asked to obtain for you the temporary rank of Major-General. You will, as Military Governor, deal direct with Sir Arthur Barrett, who will delegate to you such of his powers under martial law as may be necessary, and who will settle the relations between you and the General Officer Commanding the Peshawar<sup>5</sup> area.'

704. **Control of Frontier Constabulary in War.**—Orders had been issued in 1915 that in the event of active operations the Frontier Constabulary were to come under the orders of the military authorities. In 1917 these orders were revoked, but during the Third Afghan War the Constabulary were utilized by local Military Commanders. The Chief Commissioner, N.-W. F. P., referred the question, objecting to the Frontier Constabulary coming under the command of the military authorities on account of the confusion which would result.<sup>6</sup>

The Government of India replied :—

'While we recognise your difficulties, it is considered essential that Frontier Constabulary should, in all areas where operations are taking place, come under military authorities for operations'.<sup>7</sup>

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<sup>1</sup>Tel. 1289-A. (9-5-1919), from N.-W. F., to G. of I., (Progs., July 1919, 76).

<sup>2</sup>Tel. 229-K. (9-5-1919), from N.-W. F., to G. of I., (*ibid* 86).

<sup>3</sup>Tel. 620, (11-5-1919), from G. of I., to N.-W. F., (*ibid* 111).

<sup>4</sup>Tel. (8-9-1919), from N.-W. F., to G. of I., (Progs., Oct 1919, 180).

<sup>5</sup>Tel. 594 (8-5-1919), from G. of I., to N.-W. F., (Progs., July 1919, 67).

<sup>6</sup>Tel. 1512 (31-5-1919), from N.-W. F., to G. of I., (Progs., Aug 1919, 135).

<sup>7</sup>Tel. 785 (1-6-1919), from G. of I., to N.-W. F. (*ibid*, 144).

APPENDIX II.

THE AFGHAN MISSION TO EUROPE AND THE TREATIES WITH OTHER POWERS.

705. **Appointment of Foreign Minister.**—One of the earliest public acts of the Amir had been to create Departments of State. S. Mahmud Tarzi was then, as he intimated in letter 'Foreign Office No. 1', dated March 29, 1919 to the Foreign Secretary to the Government of India, appointed Commissary or Minister for Foreign Affairs.<sup>1</sup> This, the Government of India remarked, was 'further symptomatic of the determination of Amanullah to be emancipated in foreign affairs.'<sup>2</sup>

706. **The Mission to Europe in Moscow, Autumn 1920—March 1921.**—S. Muhammad Wali Khan had been appointed Envoy to Bokhara in April 1919.<sup>3</sup> In October we hear of him in Moscow, apparently conducting conversations preliminary to the negotiation of a Russo-Afghan Treaty. He returned to Tashkent, which he again left in the Autumn of 1920 for Moscow, and there concluded two Treaties, the Russo-Afghan (Feby. 28, 1921), and the Turko-Afghan (March 1, 1921). The simultaneous conclusion of these Treaties at Moscow shows how closely at this time the Angoran and Soviet Governments were associated, particularly in their relations with Afghanistan.

707. **In Berlin, March 1921.**—From Moscow the Mission went to Berlin via Riga where the members were the guests of the Latvian Government.

'The German Government informed the British Representative that they had granted visa with reluctance.'<sup>4</sup>

The nature of the discussions between the Mission and the German Government was not exactly discovered, but the British Ambassador at Berlin was informed in July 1921 that arrangements had been made to obtain German engineers for employment in Afghanistan.<sup>5</sup>

The notorious Dr. Hafiz was believed to have been among those so engaged, and reached Kabul in the following autumn.<sup>6</sup> The Mission was also reported to be negotiating for the purchase of aeroplanes, and the employment of German air personnel.<sup>7</sup>

708. **In Rome, May-June 1921.**—In May 1921 the Mission reached Rome, and was received by the King and Count Sforza.<sup>8</sup>

An agreement between the Italian and Afghan Governments in two parts, providing for the despatch of a commercial mission to Afghanistan and the initiation of diplomatic relations respectively, was signed by Count Sforza and General Muhammad Wali Khan on June 3.

On June 12th Lord Curzon made a vehement protest<sup>9</sup> to the Italian Ambassador against the conduct of the Italian Government in concluding this agreement. A similar protest on June 14 was made by the British Ambassador in Rome, who dwelt on the paramount interests possessed by Great Britain in Afghanistan.<sup>10</sup> The unfortunate impression which the news of these protests produced in Kabul, and the effect of them on the negotiations then pending, have already been noticed.<sup>11</sup>

709. **In Paris, June 1921.**—On June 9, the Mission arrived in Paris. It was there given an elaborate reception by the President of the Republic and the Prime Minister, and its expenses defrayed by the French Government. The latter, on learning the British attitude towards the Mission, agreed to respect the feelings of His Majesty's Government in the matter.<sup>12</sup> The Mission however

<sup>1</sup> Progs Oct 1920, 713.

<sup>2</sup> Tel. 443, (16-4-1919) from Viceroy to S. of S. (*ibid* 716).

<sup>3</sup> Tel. 1131 (23-4-1919), from N.-W. F to G. of I. (*ibid* 719).

<sup>4</sup> Tel. 1489, (10-3-1921), from S. of S to Viceroy (A. S. V. 66).

<sup>5</sup> Tel. 5678, (21-7-1921), from S. of S to Viceroy (A. S. VI 1).

<sup>6</sup> Tel. 339, (9-11-1921), from Int. Bureau, Peshawar, to G. of I. (*ibid*, 601).

<sup>7</sup> Tel. 4002, (12-8-1921) from S. of S. to Viceroy (*ibid*, 145 and see A. S. IV 646).

<sup>8</sup> A. S. V 481

<sup>9</sup> A. S. VI 14.

<sup>10</sup> *Ibid*, 16.

<sup>11</sup> Para 170

<sup>12</sup> A. S. VI 35.

seems to have assured the French Government that the arrival of French nationals would be welcomed in Afghanistan 'pour le developpement des sciences ou du commerce'<sup>1</sup>, and although no agreement was concluded at this time the way was evidently prepared, since, on April 28, 1922, a Treaty was signed providing for the exchange of diplomatic representatives, and for certain mutual facilities.

**710. In Washington, July 1921.**—On July 2, the Mission left for New York with a view to the arrangement of reciprocal diplomatic representation between Kabul and Washington. The State Department however did not appear to take the suggestion seriously, although it considered the possibility of sending an American Consul to Afghanistan.<sup>2</sup> The subsequent visit of Mr. Van Engert to Kabul was made in pursuance of this idea.

On July 27, the Mission called at the British Embassy, and received an invitation to visit England.<sup>3</sup>

**711. In London, August-September 1921.**—On July 30, the Mission left America and reached Liverpool on August 8. Mr. S. E. Pears was attached to the Mission as Political Officer, and the members were treated as the guests of His Majesty's Government.

General Muhammad Wali was the bearer of two letters

- (1) from the Amir to His Majesty the King,
- (2) from S. Mahmud Tarzi to the 'Foreign Ministry'.

These he wished to present personally to the King and to Lord Curzon respectively. He stated that elsewhere, at Berlin, Rome, Paris, and Washington, although he had brought no letters from the Amir to the Sovereign or President, as in this case, there had been no difficulty regarding either his reception and recognition by the Foreign Office, or his presentation to the Sovereign or President. Mr. Pears pointed out that hitherto relations between Afghanistan and the British Government had always been conducted through the Secretary of State for India, and that the question whether any change should be made in this practice was even then under discussion at Kabul. General Muhammad Wali however maintained that as S. Mahmud Tarzi's letter was addressed to the Foreign Office he could not deliver it elsewhere, and said that after the Rawalpindi Treaty Afghanistan 'considered that she had severed all connection with India, she desired to have nothing more to do with India if it could be avoided'<sup>4</sup>.

On August 17, the Mission was received by Lord Curzon who 'abruptly terminated' the conversation, when General Muhammad Wali began a reference to the negotiations pending at Kabul. Lord Curzon explained that these 'had nothing to do with him', but were the 'sole concern of the Government of India and the India Office'.

'A letter to Lord Curzon from Afghan Foreign Minister was then presented, but was not opened during interview . . . . . Muhammad Wali Khan then handed in a closed copy of a letter to King from Amir, but made no request with regard to its presentation, and during the interview it lay unopened.'<sup>5</sup>

The coolness of this reception, as contrasted with the experiences of the Mission at other European capitals, coupled with the rejection by Lord Curzon of the claim of the Mission to deal with the Foreign Office, was bitterly resented by the Afghan Government and seriously compromised the negotiations in Kabul<sup>6</sup>.

Mr. Pears' innocent connection with the affair was the reason given for the Amir's objection to his proposed appointment as British Minister.

'Conversations and reports of Ghulam Siddiq have caused Pears' name to be so inextricably connected in his own mind, and in those of his people, with the diplomatic rebuff which Wali had sustained in London, that, though he much regretted it, he was obliged to ask for suggestion of some other name.'<sup>7</sup>

<sup>1</sup>Tel. 3411 (8-7-1921) from S. of S. to Viceroy (A. S. V 509).

<sup>2</sup>A. S. VI 201.

<sup>3</sup>A. S. VI 220.

<sup>4</sup>Report by Mr. Pears, (9-8-1921) (A. S. VI 230).

<sup>5</sup>Tel. 4231, (18-8-1921) from S. of S. to Viceroy (A. S. VI 172).

<sup>6</sup>Para. 180

<sup>7</sup>Tel. 400-C., (24-11-1921) from Br. Rep., Kabul, to G. of I. (A. S. VI 589).

**712. In Paris, Berlin, Berne, and Rome, September 1921—March 1922.**—The Mission left on September 17 for Paris, where it made enquiries as to the possibilities of visiting Japan,<sup>1</sup> and on December 16 proceeded to Berlin, where an exchange of diplomatic representatives with the German Government was arranged.<sup>2</sup>

On March 16, it visited Berne, and was received by the President of the Swiss Confederation. It thence proceeded to Rome.

**713. In Paris, April 1922.**—From Rome it returned to Paris, where the Franco Afghan Treaty already mentioned<sup>3</sup> was signed on April 28.

**714. Return to Kabul, June 1922.**—On May 4, 1922 the Mission left Europe for Afghanistan and landed at Bombay on May 20. On May 23, its members were entertained by the Central Khilafat Committee, and on their arrival at Kabul on June 1 were accorded an official reception.

The members of the Mission were in addition to General Muhammad Wali, whose designation was 'Ambassador Extraordinary', Ghulam Siddiq, Counsellor, Faiz Muhammad, Counsellor, Muhammad Edib, Commercial Attaché, and Colonel Habibullah Khan, Military Attaché. Muhammad Edib stayed in Berlin as Minister; and the remaining civil members of the Mission were shortly appointed to various important posts in the Ministries at Kabul.

**715. The Treaties with other Powers.**—In addition to the Treaties already mentioned as having been negotiated by the Mission, others were concluded with Persia (June 22, 1921), Belgium (February 26, 1923) and Germany (March 3, 1926). It will be convenient to consider all these Treaties together.

**716. The Treaties : two classes.**—These Treaties fall naturally into two groups :—

- (1) The Treaties with Italy, France, Belgium, and Germany, which were purely formal, and aimed at securing first, the recognition of the Amir as an independent Sovereign by the European Powers, and secondly, the co-operation of these Powers in the commercial and educational development of Afghanistan.
- (2) The Treaties with Russia, Turkey, Great Britain, and Persia, which dealt with questions of policy arising out of the special relations existing between Afghanistan and these Governments. These may be called the 'contentious' Treaties.

**717. The Formal Treaties.**—These are all practically identical, and require no detailed examination. They provide for the exchange of diplomatic representatives enjoying equal rights in accordance with European international usage, with authority to fly their national flags and to correspond in cypher with their Governments and other Representatives, and for the conclusion of commercial agreements. The German Treaty is slightly warmer in tone than the rest.

From the British standpoint the main importance of these Treaties lies in the grant of diplomatic privileges in accordance with European usage, since under the 'most favoured nation' clause of Article V of the Anglo Afghan Treaty the British Legation is entitled, notwithstanding the provisions of Schedule II, to claim the same treatment.

**718. The 'Contentious' Treaties :—**

#### (i) The Russo-Afghan Treaty.

The text is as follows :—

With a view to strengthening friendly relations between Russia and Afghanistan and confirming the actual independence of Afghanistan, the Russian Socialist Federated Soviet Republic of the one part, and the Sovereign State of Afghanistan of the other part, have decided to conclude the present treaty, for which purpose there have been appointed as their plenipotentiaries :—

For the Government of the Russian Socialist Federated Soviet Republic :

Georgy Vasilievich Chichérin,

Lyov Mihailovich Karahan,

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<sup>1</sup>Tel. 5880, (17-11-1921) from S. of S. to Viceroy (A. S. VI 543).

<sup>2</sup>Tel. 1170, (17-3-1922) from S. of S. to Viceroy (A. S. VII 221).

<sup>3</sup>Para. 709.

and for the Government of the Sovereign State of Afghanistan :

Muhammad Wali Khan,  
Mirza Muhammad Khan,  
Gulyam Sidlik\* Khan.

The above-named plenipotentiaries, after mutual presentation of their credentials, which were found to be in due and proper form, have agreed as follows :—

## I

The High Contracting Parties, recognising their mutual independence and binding themselves to respect it, now mutually enter into regular diplomatic relations.

## II

The High Contracting Parties bind themselves not to enter into any military or political agreement with a third State, which might prejudice one of the Contracting Parties.

## III

The Legations and Consulates of the High Contracting Parties shall mutually and equally enjoy diplomatic privileges, in accordance with the uses of International Law.

NOTE I.—There shall be included in that category.—

- (a) The right to hoist the State flag.
- (b) Personal inviolability of registered members of Legations and Consulates.
- (c) Inviolability of diplomatic correspondence and of persons fulfilling the duties of couriers, with every kind of mutual assistance in these matters.
- (d) Communication by telephone, wireless, and telegraph, in accordance with the privileges of diplomatic representatives.
- (e) Exterritoriality of premises occupied by Legations and Consulates, but without the right of giving asylum to persons who are officially recognised by their Local Government as having broken the laws of the country

NOTE II.—The Military Attachés of both Contracting Parties shall be attached to their Legations on the basis of equality as regards the above.

## IV

The High Contracting Parties mutually agree to the opening of five Consulates of the Russian Socialist Federated Soviet Republic on Afghan territory, and of seven Consulates of Afghanistan on Russian territory, of which five shall be within the boundaries of Russian Central Asia.

NOTE.—In addition to the above, the opening of further Consulates and consular points, in Russia and Afghanistan, shall be arranged in each particular case by special agreement between the High Contracting Parties.

## V

Russian Consulates shall be established at Herat, Meimen, Mazar-i-Sharif, Kandahar, and Ghazni. Afghan Consulates shall be established as follows :—A Consulate-General at Tashkend and Consulates at Petrograd, Kazan, Samarkand, Merv, and Krasnovodsk

NOTE.—The manner and time of the actual opening of the Russian Consulates in Afghanistan and of the Afghan Consulates in Russia shall be defined by special agreement between the two Contracting Parties

## VI

Russia agrees to the free and untaxed transit through her territory of all kinds of goods purchased by Afghanistan, either in Russia herself, through State organisations, or from abroad.

## VII

The High Contracting Parties recognise and accept the freedom of Eastern nations on the basis of independence, and in accordance with the general wish of each nation.

## VIII

In confirmation of Clause 7 of the present treaty, the High Contracting Parties accept the actual independence and freedom of Bokhara and Khiva, whatever may be the form of their government in accordance with the wishes of their peoples.

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\* ? Ghulam Sadiq—(Translator).

## IX

In fulfilment of and in accordance with the promise of the Russian Socialist Federated Soviet Republic, expressed by Lenin as its head to the Minister Plenipotentiary of the Sovereign State of Afghanistan, Russia agrees to hand over to Afghanistan the frontier districts which belonged to the latter in the last century, observing the principles of justice and self-determination of the population inhabiting the same. The manner in which such self-determination and will of the majority of the regular local population shall be expressed shall be settled by a special treaty between the two States, through the intermediary of Plenipotentiaries of both parties.

## X

In order to strengthen friendly relations between the High Contracting Parties, the Government of the Russian Socialist Federated Soviet Republic agrees to give to Afghanistan financial and other assistance

## XI

The present treaty is drawn up in the Russian and Persian languages; both texts are accounted authentic.

## XII

The present treaty shall come into force upon its ratification by the Governments of the High Contracting Parties. The exchange of ratifications shall take place at Kabul, in witness whereof the Plenipotentiaries of both parties have signed the present treaty, and set their seals thereto

*Drawn up in Moscow on the 28th day of February 1921.*

## SUPPLEMENTARY CLAUSE.

In amplification of Clause X of the present treaty, the Government of the Russian Socialist Federated Soviet Republic gives the following assistance to the Sovereign State of Afghanistan:—

(1) A yearly free subsidy to the extent of one million gold or silver roubles, in coin or bullion

(2) Construction of the Kushk-Herat-Kandahar-Kabul telegraph line.

(3) In addition to this, the Government of the Russian Socialist Federated Soviet Republic expresses its readiness to place at the disposal of the Afghan Government technical and other specialists.

The Government of the Russian Socialist Federated Soviet Republic shall afford this assistance to the Government of the Sovereign State of Afghanistan within two months after the coming into force of the present treaty.

The present supplementary clause shall have the same legal validity as the other clauses of the present treaty.

*Moscow, this 28th day of February, 1921.*

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N B.—The second half of XII appears to consist of the witnessing clause, which should surely have a paragraph to itself. Otherwise, it would only appear to refer to the ratification.—(Translator)

Between the signature of this Treaty on February 23, 1921 and its ratification by the Amir on August 14, three letters were written by the Russian Envoys Suritz and Raskolnikov; and communicated to Sir H. Dobbs, together with the treaty by S. Mahmud Tarzi<sup>1</sup> as follows:—

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No 1021, dated the 7th Sartan 1300 (28th June 1921).

From—M. Suritz,

To—The Afghan Foreign Minister.

After compliments—Having become aware of the difficulties which have befallen the Government friendly to us, in the matter of the Consulates of Kandahar and Ghazni which were to be granted to us under the Treaty, and according to the irrevocable wishes of my Government to give every kind of facilities to the Government friendly to us, and to remove all obstacles to our friendship, I give an undertaking to the Government of Afghanistan that immediately after the ratification of our treaty by the Government

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<sup>1</sup>Letter 86 (3-9-1921) from Af. For. Min., to Br. Rep., Kabul (A. S. VI 314).

of Afghanistan, I will inform my Government of all the difficulties in connection with the opening of the Consulates of Kandahar and Ghazni. I strongly hope that my Government will give earnest consideration to this matter, owing to its desire to remove all difficulties in the way of the friendly Government. And for the present I will not open Consulates in Kandahar and Ghazni.

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No. 1, dated the 32 Sartan (22nd July 1921).

From—M. Raskolnikov,

To—The Afghan Foreign Minister.

After compliments.—I, having acquainted myself with the text of the letter of my predecessor, Ambassador and Envoy Extraordinary of the Soviet Republic in the Central Asian Countries, M. Suritz, have the honour to inform you that in the matter of Consulates, on account of the difficulties which have supervened, I am entirely in agreement with the text thereof, and I consider myself bound by the promises expressed in that letter.

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No. 8, dated the 8th Asad (31st July 1921).

From—M. Raskolnikov,

To—The Afghan Foreign Minister.

After compliments.—To the contents of the letter of my predecessor, M. Suritz, with which I promised<sup>1</sup> in my letter, dated Saturday, the 32 Sartan, that I am in full agreement, I wish to add that as I am confident that this concurrence and undertaking is fit to be accepted,<sup>2</sup> so I am confident that it will not make any difference or cause any delay in the agreement ratified between Afghanistan and Russia, and in the performance of the clauses thereof. In order to manifest the friendly intention and the identity of policy of my Government, I hasten to write this letter, and renew the expression of my respects.

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It is important to note that these letters, although not attached to the Treaty, were explicitly included by the Amir in his ratification :—

' Having signed and ratified by the help of God the Treaty of friendship between the Government of the Russian Soviet Federated Socialist Republic and my Government, which was concluded at Moscow by the representatives of the two parties on the 28th February 1921, and which has been written above, I promise to execute it without change, having accepted as sanads the letters Nos. 1021, 1, and 8, of the Ambassadors of Russia appointed to the Court of Afghanistan.'

#### 719. Comments.

The following articles require special notice :—

*Article II.*—This corresponds to clause XV of the British 'pis aller' draft.<sup>3</sup>

There is no provision for previous consultation as in the British 'Exclusive' draft.<sup>4</sup>

*Articles IV, V.*—Article IV provides for seven Afghan Consulates while Article V specifies only six. The seventh (Khokand) may have slipped out, and appears to have been added before ratification.<sup>5</sup>

The language is categorical ' shall be established '.

The provision for the establishment of Consulates at Kandahar and Ghazni proved, as has been seen, a serious obstacle to the conclusion of an Anglo-Afghan Treaty. Their conditional exclusion was secured by the three letters quoted above from Suritz and Raskolnikov, and by letter No. III attached to the Anglo-Afghan Treaty. The latter also concedes the exclusion of a Russian Consulate at Jalalabad, for which no provision is made in the Russo-Afghan Treaty. In

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<sup>1</sup>'Explanation. That is to say in Kandahar and Ghazni they will not for the present open Consulates.'

<sup>2</sup>'Qabul shudani ast.'

<sup>3</sup>Memo. 521 (8-8-1921), from Br. Rep., Kabul, to G. of I. (A. S. VI 165).

<sup>4</sup>Memo. 530 (11-8-1921), from Br. Rep., Kabul, to G. of I. (*ibid*, 174a).

<sup>5</sup>Memo. 592 (5-9-1921), from Br. Rep., Kabul, to G. of I. (*ibid*, 314).

regard to the exclusion of these Consulates S. Mahmud Tarzi wrote in his forwarding letter :—

' I am fully assured that after this the Russian Government will not establish Consulates in places specified, and we also shall not be compelled to give permission for establishment of Consulates of that State in those places '.

Sir H. Dobbs commented :—

' It is clear that the expressions used by Suritz and Raskolnikov indicate mere pious hopes ... we are without any guarantee that any assurance which Soviet may give would be other than temporary ..... I do not see how it is possible for us to accept Afghan assurance about Consulates ..... Moreover Afghans have neglected to communicate vital supplementary clause communicated by Krassin, and secret clause about munitions, the existence of which has been admitted by them.'<sup>1</sup>

Sir H. Dobbs had not at this time seen the Amir's ratification which explicitly includes these letters, but even when this was brought to his notice, he apparently considered their validity open to question :—

' Letters however as already reported are not printed, and neither the published Treaty nor the ratification contains anything to show to what they refer '<sup>2</sup>

*Articles VII, VIII, IX* deal with ' Asiatic self-determination,' Article VII stating the principle and Articles VIII and IX its practical application to Bokhara, Khiva, and Panjdeh. The counterpart to these provisions will be found in the proposals for a plebiscite of the tribes of the Anglo-Afghan Frontier contained in the first Afghan draft presented in the Kabul negotiations.<sup>3</sup>

The Treaty in its published form is strikingly one sided. It gives considerably more than the British ' maximum ' draft, and contains no ' exclusive ' provisions ; Article VI, VIII, IX and X being to all appearance entirely in favour of Afghanistan without any countervailing consideration. It was known, however, as pointed out by Sir H. Dobbs in his comments already quoted,<sup>4</sup> that there were certain secret undertakings for the supply by the Soviet Government to Afghanistan of aeroplanes, and munitions ; and the inference is almost irresistible that there were others by which the Soviet Government obtained facilities for the prosecution of intrigue and propaganda in India.

The Government of India at one time suggested that ' quite apart from their main anti-British designs, Bolsheviks may, like ourselves, think it worth while to buy the good neighbourliness of Afghanistan, in view of her power to create trouble on the borders especially in Bokhara ',<sup>5</sup> but the view more generally taken is that expressed by Sir H. Dobbs to S. Mahmud Tarzi :—

' I said that, as a result of revelation regarding Bolshevik motives for making an agreement with Afghanistan, both the British Government and public were convinced that sole object of Bolsheviks was to cause trouble in India '<sup>6</sup>

## 720. (2) The Turco-Afghan Treaty.

The text is as follows :—

In the name of God, the Merciful, the Compassionate :—

The Turkish and Afghan Governments convinced that they are bound together by sincere ties of sympathy, are imbued with one desire and one sacred purpose, and each possesses the same high moral and material interests, and that the happiness or misfortune of one State will redound to the happiness or misfortune of the other, and recognising that it is no longer possible that they should remain disconnected and isolated as in the past, and that certain historical duties necessarily devolve upon them at this moment, when it is seen with infinite thankfulness that an era of awakening and deliverance of the Eastern world has begun ; these two brother States and nations, therefore, observing that as with the members of one body the troubles and afflictions of one of the parties must affect and pain the other, have resolved to transfer their age-long moral unity and natural alliance to the political sphere, to bring about a state of material and official alliance, and, in the name of the future welfare of the whole East, to conclude a Treaty of alliance as a prelude to future welfare. For this purpose delegates have been nominated on behalf of the Grand National Assembly of Turkey, Youssouf Kemal, Minister

<sup>1</sup>Tel. 274 (3-9-1921), from Br. Rep., Kabul, to G. of I (A. S. VI, 256).

<sup>2</sup>Tel. 276 (4-9-1921), from Br. Rep., Kabul, to G. of I. (*ibid*, 257).

<sup>3</sup>Letter 147 (26-1-1921), from Br Rep., Kabul, to G. of I. (A. S. IV, 787).

<sup>4</sup>And see letter 100 P. O (4-9-1921), from Br. Rep., Kabul, to Af. For Min. (A. S. VI, 314).

<sup>5</sup>Tel. 317 (7-3-1921), from Viceroy, to S. of S. (A. S. V, 52).

<sup>6</sup>Tel. 69 (13-3-1921), from Br. Rep., Kabul, to G. of I. (*ibid*, 72).

of Economic Affairs, and Doctor Reza Nour Bey, Minister of Public Instruction ; and on behalf of the Government of Afghanistan, General Muhammad Wali Khan, Ambassador Extraordinary : who, having communicated their full powers, found to be in due and proper order, have accepted the following Articles :—

*Article I.*—The Turkish Nation for so long as, God willing, she maintains an independent existence, considers it to be a sacred duty to recognise the independence of the Afghan Nation, to which she is bound with ties of the utmost sincerity and conscientiousness.

*Article II.*—The two High Contracting Parties recognise that all Eastern nations possess complete liberty and right of independence, and that each of these nations is free to administer itself by such form of administration as it may particularly desire, and they recognise the independence of the States of Bokhara and Khiva.

*Article III.*—The Turkish Nation, having from olden times guided and performed distinguished services on behalf of the Islamic world, and who has seized in her hands the standard of the Khilafat, Afghanistan recognises her spiritual leadership “(daulat-i-muqtadahbeha) ”.

*Article IV.*—Each of the High Contracting Parties will consider as directed against herself personally, and will endeavour to remedy by all possible means at her disposal, any act of aggression (“tajawuz”) overstepping the bounds made against the other by a foreign State, in pursuance of a policy of invasion and exploitation in the East.

*Article V.*—Each of the Contracting Parties undertakes not to conclude any Treaty or Convention injurious to the interests of the other Party, or which would be in the interests of a third State with which the other is in disagreement (“ikhtilaf”), and undertakes that, if one of the High Contracting Parties wishes to make an agreement with another Power, she will give prior notice to the other High Contracting Party.

*Article VI.*—With a view to the regularisation of commercial and economic relations and diplomatic and consular affairs (“ajent wa shah bandarhai siyasi”), the two Contracting Parties will conclude the necessary Conventions separately, and Ambassadors will from henceforth be sent by each to the Capital of the other.

*Article VII.*—The two Contracting Parties will establish regular and special postal services between the two countries, and will give to each other prior information (“yekan awalter mutaqabilan yekdegar ra”) regarding their political and economic situations, their position respecting public instruction, and their needs and desires in general.

*Article VIII.*—In order to assist Afghanistan in arts (“fania”) and education, the Turkish Government undertakes to send a mission of civil instructors and military officers. This mission of teachers and officers will serve for a minimum period of five years, and on the expiration of that period, if Afghanistan so desires, she can ask for another mission of military officers which the Turkish Government agrees to send.

*Article IX.*—This Treaty will be ratified with all possible speed at the capitals of the Contracting Parties, and its clauses will be enforced as from that time.

*Article X.*—This Treaty has been drawn up at Moscow in duplicate, and has been signed by the delegates of the two Parties. This Treaty has been signed on Tuesday, the 1st day of March 1337 (1921), corresponding with the 21st day of Jumadi-ul-Akhir in the 13 39th year of the Hijra.

(Signed) YOUSSEOUF KEMAL.

” DOCTOR REZA NOUR BEY.

” MUHAMMAD WALI KHAN,

*Ambassador Extraordinary.*

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*Translation of a letter from Fakhri Pasha to General Muhammad Wali Khan, Afghan Foreign Minister, dated Kabul, the 19th of Thashreen 1338 (corresponding to the 11th of Mizzan 1301—4th October 1922).*

YOUR EXCELLENCY,

I submit the following explanation with regard to Articles III, IV, and V, of the Treaty concluded between Turkey and Afghanistan on the 1st of March 1337 (corresponding to the 11th of Hoot 1299).

In Article III, the expression 'daulat-i-muqtadahbeha' refers to those rights which, in accordance with religious law, are enjoyed by the Great Islamic Khilafat, and this expression does not mean that the full independence of Afghanistan, which has been accepted in the first Article of the Treaty, should be prejudiced.

In order to remove misunderstandings, I recognise the use of the expression "muqam-i-Khilafat-i-uzma-i-Islamia" (seat of Great Islamic Khilafat) in place of the expression "daulat-i-muqtadahbeha" (Government to be followed), and, as desired by you, I agree to this explanation of the meaning of the expression "daulat-i-muqtadahbeha".

Article IV refers to any Power pursuing a dominating and profiteering policy in the East, which may commit an act of aggression against one of the two Contracting Parties.

Article V refers to the fact that each of the two Contracting Parties agrees not to contract any agreement or official Treaty with a third Power which may be in disagreement with the other Party, which agreement or official Treaty would be to the advantage of the third Power, or would be to the detriment of the interests of the other Contracting Party, and the Contracting Parties agree that, should one of them desire to make a Treaty with another Power, they will first inform the other. In this case "Halat-i-ikhtilaf" (state of disagreement) means "halat-i-harb" (state of war).

In Article V the Contracting Parties have agreed that, in the event of their contracting treaties and agreements with a Third Power, they will, pending the establishment of speedy means of communication, show the draft to the Ambassadors at their respective capitals, and later, when speedy means of communication have been established, to the Central Government of the High Contracting Party.

Usual ending.

(Sd.) FAKHRI PASHA,

*Turkish Minister.*

The Amir's ratification runs as follows :—

'Amir Amanullah, with thanks for the fraternal agreement which is clear from the blessed saying of the Holy Quran, "All believers are brothers", and in obedience to the order which enjoins us "to grasp firmly and unitedly the rope of God", accepts and promises to carry out this unbreakable Treaty, together with the explanatory memorandum of Fakhri Pasha.'

**721. Comments.**—It is worth noting that the Amir's ratification resembles that of the Russo-Afghan Treaty as regards the inclusion in its scope of the Turkish Minister's explanatory memorandum. The interval of nineteen months which occurred between signature and ratification, and the terms of the Turkish Minister's explanations testify to the difficulties felt in regard to certain phrases of the Treaty.

*The Preamble* is strongly coloured by the idea of a League of Eastern Nations. Turkey was at this time employing the prestige afforded by her connection with the Khilafat to form such a League under her own leadership.

*Article III* however, with the forced explanation of it given in the Turkish Minister's memorandum, shows that Afghanistan was not prepared to admit any political suzerainty on the part of Turkey.

*Article II* like Article VII of the Russo-Afghan Treaty applies the doctrine of self-determination to Bokhara and Khiva. There is reason to believe that both Turkey and Afghanistan were at this time aspiring to the hegemony of a Central Asian Confederation. In the case of Turkey this project was of course an integral part of her Pan-Turanian policy.

*Article IV* provides for a defensive alliance. The version of the Treaty originally published in the "Hakimiet-i-Millie" of April 25, 1921, contained the word 'imperialist' before the words 'foreign state'. If this word was actually in the version of the Treaty as originally signed its subsequent omission may indicate a realisation by the contracting parties of the necessity of providing against aggression by the Soviet Government.<sup>1</sup>

<sup>1</sup>Kabul despatch 13, (4-11-22). ,

**722. (3) The Perso-Afghan Treaty.**

The text is as follows :—

In the name of God, the Merciful, the Compassionate.

Whereas the unity of Islam, racial connection, and good neighbourly relations between Persia and Afghanistan, necessitated that friendly intercourse between the two States should be consolidated by the conclusion of a Treaty, His Imperial Majesty the Shah of Persia appointed His Excellency Haji Mohtashem-es-Sultaneh, the Minister for Foreign Affairs, and His Majesty the Amir of Afghanistan appointed His Excellency Sardar Abdul Aziz Khan, his Envoy, as their plenipotentiaries, who, after the exchange of their credentials, concluded the following articles :—

*Article 1.*—Hereafter sincere friendship and cordial relations will be established between Persia and Afghanistan, and the subjects of the two Governments.

*Article 2.*—The Ambassadors, Ministers Plenipotentiary, and Chargés d'Affaires of the High Contracting Parties residing in one another's Courts will enjoy such privileges as are ordained by international law and usage.

*Article 3.*—The subjects of the two contracting Governments, whether travelling or residing in each other's country, will be respected and will be entirely under the protection of the officials of their own Governments.

*Article 4.*—The subjects of the contracting Governments, whether residing or travelling in each other's country, will be amenable to local laws. Civil and criminal cases will be tried and settled in the Law Courts of Persia and Afghanistan. Political or Consular officers of the High Contracting Parties will have no right to interfere with law suits, civil or criminal, in one another's country, and all the cases of the subjects of the two Governments must be referred to the local courts.

*Article 5.*—The two High Contracting Parties will have the right to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, in important towns and commercial centres of each other's country. But such officers can take up their duties when they have received their exequatur.

*Article 6.*—The subjects of the two Governments will be exempt, in each other's country, from military service and other duties binding only on natives of the country.

*Article 7.*—The officials of the two countries will have the right to demand, through the diplomatic channels, extradition of criminals, and the local authorities will not fail to give help. Political offenders are excepted from this arrangement.

*Article 8.*—To strengthen friendly and commercial relations, the Contracting Parties will, as soon as possible, enter into agreement in regard to trade, tariff, and postal and telegraphic exchange. Such agreements will come into force after approval and signature.

*Article 9.*—No war between one of the Contracting Parties and a third Power will affect the friendly relations between the two States, who undertake to refrain, in accordance with the rules of neutrality, from giving facilities to the enemy's success.

*Article 10.*—To give full evidence of the friendship and confidence existing between the two countries of Persia and Afghanistan, the Contracting Parties have decided that all the difficulties and disputes, which they may not be able to settle in a satisfactory manner between themselves by means of negotiations, should be referred to arbitration, in accordance with International rules and customs. The contracting parties undertake to carry out the award with perfect sincerity.

*Article 11.*—This Treaty will be drawn up in two copies in Persian.

*Article 12.*—The Representatives of the two parties undertake that within three months from the date of the signature of the Treaty, or sooner, if possible, the ratifications of this Treaty will be exchanged at Tehran and Kabul. The two representatives have, therefore, affixed their signatures and seals to this treaty.

TEHRAN,

Shawval 15, 1339.

Saratan 1st, 1300 (June 22, 1921).

## SUPPLEMENTARY CLAUSES.

*Clause 1.*—The meaning of the following passage of the third clause of this treaty, *viz.*—"The subjects of the contracting Governments will be respected both on travel and in sojourn, and their Governments' officials will protect them" is—that the officials of the respective Governments can refer to the authorities of the country where they exercise their functions, along the lines of the prevalent laws of that country, in order to provide facilities for their subjects.

*Clause 2.*—The tribes and clans (Barberis included) who have previously emigrated to Persia from Afghanistan shall be regarded as Persian subjects as heretofore. The Barberis, who intend to travel to Afghanistan should not be allowed entry to that country, unless their passports are duly visé by the Afghan officials residing in Persia. The frontier tribes, who change their residence from Afghanistan to Persia and *vice versa* during the summer and winter, should always be treated as subjects of the country where they dwell for the time. The individual Afghans who have entered Persia and taken up a definite dwelling there, previous to the establishment of the Afghan Embassy in Persia, should remain Persian subjects as heretofore. The merchants who have simply come from Afghanistan to Persia for the purpose of trading, and who have never definitely settled themselves in this country, and moreover documentary evidence proves that the Persian Government offices have not treated them as Persian subjects, should be recognised as Afghan subjects.

*Clause 3.*—The tribes and tribesmen who have previously left Persia for Afghanistan should in the same way be regarded as the subjects of the country in which they dwell: they will not acquire the right of entry into Persian territory, unless their passports have been visé by the Persian officials resident in Afghanistan. The same treatment, as specified in the second supplementary clause, is accorded to tribes who have previously travelled from Afghanistan to Persia. The individual Persians who have, previous to the establishment of the Persian Embassy in Kabul, travelled to Afghanistan and settled definitely there, should likewise be regarded as Afghan subjects as heretofore. The Persian merchants who have travelled to Afghanistan purely for trading purposes, and who have not definitely taken up permanent residence there, and documentary evidence establishes the fact that they have never been treated by the Afghan Government as Afghan subjects, should be recognised as Persian subjects.

## 723. Comments.

*Preamble.*—The insistence on the unity of Islam is evidently intended to rebut the probability of disunion between a Sunni and a Shiah State.

*Articles 7 and 10* are significant, as is the absence of the mention of extradition and arbitration from the Anglo-Afghan negotiations, and from the Russo-Afghan Treaty. It is at present only with a Moslem neighbour that Afghanistan will enter into such arrangements.

*Supplementary clauses 2 and 3* deal with emigrants and nomad tribes. Clause 2 gives perhaps a hint of the attitude which the Afghan Government might adopt in regard to the nationality of 'do kora' tribes on the Indian frontier, if the question were pressed.

The emigration of Barbaris, Hazaras, and Jamshedis from Afghanistan to Persia is a sore subject for the former, and was the burden of a complaint brought against the Government of India by the Afghan Representatives at the Mussoorie Conference.<sup>1</sup>

These clauses point to one of the many difficult problems of nationality which confront Afghanistan on each of her frontiers.<sup>2</sup>

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<sup>1</sup> Progs. of the 9th meeting (Progs. Jan. 1921, 137).

<sup>2</sup> P.M.A. 8.

### APPENDIX III.

#### AFGHAN RESPONSIBILITY FOR THE FRONTIER MURDERS OF 1923.

724. **Different views.**—The official correspondence on the subject of the murders of 1923, shows wide differences of opinion ; particularly between the British Minister at Kabul and the Frontier authorities.

Broadly stated, the position of the Minister was that any new set of facts, such as the series of murders of British officers in 1923, could only be explained on a consideration of all the new factors bearing on the existing Frontier situation ; and that intelligence reports regarding the existence of these new factors required to be carefully sifted before they could be accepted, more especially when their uncritical acceptance might have such grave consequences as was possible in the present instance.

The Frontier view was that, although there might be contributory factors in each case, the main cause of all these murders was the hostile policy of the Afghan Government evinced particularly by the attitude of the Amir at Jalalabad in February and March 1923.

The question is not an academic one for those who have any practical connection with Afghan and Frontier affairs, since without an accurate estimate of the causes it is impossible to guard against the recurrence of their product.

725. **The Jalalabad proceedings of February and March 1923.**—The Minister's view of the significance of the Jalalabad jirgas was given in telegrams of February 26 and March 3, and in a despatch of March 10, 1923.

'Amir dressed up in Afridi clothes received this morning near Amir Habibullah's tomb near Jalalabad a combined Afridi Mohmand jirga numbering about 4,000. He addressed the tribesmen in an entirely inoffensive speech in Pashtu<sup>1</sup>'

'Selected tribal delegates were interviewed by Amir on February the 27th in audience hall of Palace at Jalalabad. He exhorted them to work for unity of Islam and to lay aside their feuds. Afghan intervention on behalf of Mahsuds was urged by a notorious anti-British speaker, but Amir ordered him to resume his seat. There has been no cause for complaint in attitude of Amir and Wali towards tribes . . . Afridi and Mohmand allowances were distributed by Nadir Khan on March the 2nd. They were far less than those which the late Amir used to grant<sup>2</sup>.'

On March 26, the Chief Commissioner, after consulting his officers, intimated his views on these jirgas :—

'Report from Political Agent Kurram indicates that people of Kurram Valley who have lately returned to Peshawar have received impression that speeches were definitely anti-British. In opinion of Deputy Commissioner Peshawar, transborder and even cisborder Mohmands have been impressed by affability of Amir, which has effaced bad impression which Hijrat in 1920 produced. Political Agent Khyber, Deputy Commissioner Kohat, and Political Agent Malakand report that no rumours of changed relations between Afghanistan and Great Britain have been occasioned by Darbar..... it is merely reasserting his traditional position which Amir will never abandon, and which we all understand. To expect that Afghan diplomacy should be 'correct' in this quarter is idle. Note of jirga was palpably anti-British, but this is expected by tribes, and Amir cannot do much harm so long as British relations with tribes are satisfactory. Unless it is followed up by further intrigue whole affair may be regarded as unimportant, so far as anything north of Kurram river is concerned. Fact is that, where there is nothing to bite on, Amir's intrigues can never do much harm'.<sup>3</sup>

But as soon as the Landi Kotal and Kohat tragedies occurred the Chief Commissioner changed his views :—

'It is indicated by reports received that Mirzali received<sup>4</sup> largest reward of any except Said Anwar and Mullah Said Akbar, and was one of those selected to remain after bulk of tribesmen had been dismissed. It is believed that this reward was about thousand rupees Kabuli. I certainly connect recent tragedies in Kohat and Khyber with prominence given, and favour shown, to Mirzali and other notorious hostiles'.<sup>5</sup>

<sup>1</sup>Kabul tel 27 (26-2-1923) (F-412, F-23, 4)

<sup>2</sup>Kabul tel 29 (3-3-1923) (*ibid*, 5)

<sup>3</sup>Tel. 278 (26-3-1923), from N.-W. F., to G. of I. (*ibid*, 15)

<sup>4</sup>For Mirzali see para 119.

<sup>5</sup>Tel. 340 (16-4-1923), from N.-W. F., to G. of I. (F.-412, F-23, 41-A).

This coupling of the Kohat and Khyber tragedies, as both connected with 'favour shown to Mirzali' by the Amir, had a considerable influence on the subsequent discussions, and it is therefore worth while to see what foundation there is for such a view.

It rests on two propositions :—

- (a) that favour was shown to Mirzali at Jalalabad,
- (b) that both the Landi Kotal and Kohat gangs were influenced by such action on the part of the Amir.

(a) The Minister's information went to show that no particular favour was shown to Mirzali at Jalalabad, and when the sources of his information were challenged wrote :—

'A large jirga was held within sight of the British Consulate at Jalalabad on the 26th February. This was followed on the 27th by a Darbar in the Siraj-ul-Imarat, at which selected representatives were present. Certain individuals were subsequently interviewed privately by the Sipah Salar Nadir Khan. The Oriental Secretary was in residence at the British Consulate, Jalalabad, for some weeks previously and subsequently to the holding of these jargas. He made a point of meeting the tribesmen himself, both on their way to Jalalabad and while they were there. He employed for more than a month in Jalalabad four special intelligence agents brought for the purpose from India. I myself stayed at the British Consulate, Jalalabad, from 25th February to 5th March, and during that time received constant and detailed reports from the Oriental Secretary as to what was going on. Of his informants, all attended the jirga on the 26th February, one the Darbar on the 27th, and one was granted a private interview with the Sipah Salar Nadir Khan. Two of them were Qambar Khels, fellow clansmen of Mirzali, whom they met frequently. None of them mentioned that any prominence was given to Mirzali, or that any special favour was shown to him. On the information before me I cannot say definitely whether Mirzali was, or was not, one of the selected representatives at the Darbar held on the 27th. This was because he attracted so little attention at the time that no special enquiries were made on the point. It may be noted that Mirzali's prominence was not reported in the Peshawar Bureau and Military Intelligence diaries for the week ending 8th March, but was an addition made in the diaries for the following week. I am not aware whether it is clear to the Government of India that the selection of representatives for the Darbar of the 27th was made, not by the Afghan Government, but by the tribesmen themselves.'<sup>1</sup>

(b) If Ajabs' gang had been influenced by the favour stated to have been shown to Mirzali at Jalalabad, it would be only natural that it should make for Afghanistan after committing the crime. So far however from doing anything of the kind, it stayed for a month in tribal territory, and only left it under official compulsion :—

'It has now transpired however that these criminals were in the first instance expelled from tribal territory by official order, a fact which goes far to explain the suspicion evidently harboured by the Afghan Foreign Minister that, in demanding their arrest and surrender, His Majesty's Government are asking the Afghan authorities to accomplish what British officials have declined to attempt.'<sup>2</sup>

**726. The value of Frontier Intelligence as regards events in Afghanistan.—** It is impossible to say definitely whether in the case of the Jalalabad Jargas the Frontier intelligence was more correct than the Minister's, but there are many instances to show that it was generally unreliable as regards events in Afghanistan. Many such might be quoted, but a few will be sufficient :—

(1) As regards these very proceedings in Jalalabad, Frontier intelligence reported than on March 2, the Amir, Nadir Khan, and others attended Juma prayers at the Hadda Mosque, while as a fact 'the Amir did not go to Hadda on that day at all.'<sup>3</sup>

The Amir was also reported by Frontier intelligence to have arrived at Jalalabad on February 13. He in fact arrived on February 20. (A correction to this effect was afterwards made in the reports).

(2) In the Tazi Khel bombing case the Political Agent, Tochi, reported that :—

'From several independent and unprejudiced sources, I have entirely satisfied myself that no bombs fell on Afghan side of Durand Line.'<sup>4</sup>

<sup>1</sup>Kabul memo. 178 (18-5-1923) (F. 517, F. 149).

<sup>2</sup>Kabul despatch 25 (15-8-1923)

<sup>3</sup>Kabul memo. 178 (18-5-1923) (F. 517, F. 149)

<sup>4</sup>Tel. 170 (14-4-1923), from P. A., Tochi, to N.W. F. (W. S. IV, 389).

It was subsequently found that this report was incorrect.

(3) On May 29, 1923 the General Officer Commanding Warizistan Force reported 'Haji Abdul Razzak definitely located Waruki Naren, a village in Dhanawat area.'<sup>1</sup> The Haji was in fact in Kabul, and was seen there on June 5.<sup>2</sup>

The difficulties in which the Minister was placed by the unreliable nature of the information on which he was expected to make representations was not always realised :—

'Whether intelligence of North-West Frontier Province is accurate or not, it is regarded by Foreign Minister as being based solely on reports of informers, which he knows were proved to be absolutely incorrect in Tazi Khel bombing case. I have to demonstrate to him that his officials are lying.'<sup>3</sup>

The uncritical attitude of intelligence officers towards their information is shown by such a phrase as—

'A report states.....this is further proof' which occurs in a diary of this period. The point was noticed by the Secretary of State :—

'It might be borne in mind that, when subject matter is important, vague references to 'reports', which make it impossible properly to appraise items of intelligence, are specially unsatisfactory'.<sup>4</sup>

**727. The Kohat case. The revenge theory.**—It is now generally agreed that the immediate cause of the Kohat outrage was the raid on Ajab's house on March 5. The published account of this incident ran as follows :—

(*From our frontier correspondent.*)

'Another rude shock has been administered to the position of privilege, under shelter of which many tribal sections of the Frontier have been accustomed to batten.....  
..... The tribesmen were examined, and among them two outlaws were arrested while trying to escape disguised as women. A third man, one of the actual gang of rifle thieves, was similarly taken, and searched, and beneath his *burqa* four Mills bombs were found concealed in his clothing.....The illusion of tribal sanctity is being gradually dispelled.'<sup>5</sup>

From the circumstances of this raid a belief arose, which was widely held on the Frontier, that Ajab's motive in murdering Mrs. Ellis was revenge for insults, real or fancied, offered to his women folk during the search of his house. This view gained credence from the report as to the manner of Mrs. Ellis death :—

'He found Mrs. Ellis dead with her throat cut',

since this form of murder is almost invariably committed by a Pathan to show the satisfaction of private revenge.<sup>6</sup> Captain and Mrs. Watts on the other hand were merely stabbed, and, on this theory, the motive for murder in the Ellis case was different from that in the Watts case ; the one being a case of deliberate revenge and the other committed merely to escape detection. This theory was stated in the '*Aman-i-Afghan*' of August 14 :—

'The case of Mrs. and Miss Ellis was also the result of a desire to avenge an insult to the principles of the Afghan nation. A brief account of it is as follows :—

Before the occurrence of the Mrs. Ellis case a few rifles were stolen from the Kohat cantonment police.....an English Major with a large number of English troops suddenly entered the Kuki Khel village, and began to search the house of Ajab Gul who was then not present. When his women folk came out of the house the English troops examined them, and removing their chadars from their faces, treated them in an insulting and disrespectful manner.'<sup>7</sup>

Some letters purporting to be written by Ajab in October 1923 were assumed to be genuine by the Government of India, who remarked :—

'The absence of any allusion in the letters to any indignity put upon the women of Ajab's village, when the Bosti Khel counter-raid was carried out, may be taken as giving

<sup>1</sup>Tel. 7631-77 (29-5-1923), from Wazforce, to C. G. S. (*W. S. IV*, 561).

<sup>2</sup>Kabul tel. 79 (5-6-1923) (*ibid*, 591).

<sup>3</sup>Kabul tel. 161, (31-10-1923) (*A. S. IX*, 140).

<sup>4</sup>Tel. 4530 (21-12-1923), from S. of S., to Viceroy (*A. S. XI*, 105).

<sup>5</sup>Pioneer, March 8, 1923

<sup>6</sup>Indian News Agency tel. (15-4-1923) (F. 517, F. n. p. 6)

<sup>7</sup>Cf., 'But the fact that the throats of the Mangals were cut indicates some special hatred.'

Letter 5143 (16-4-1923), from N.-W. F., to S. of I. (F. 495 F. 1923).

<sup>8</sup>F. 561, F. II, n. p. 5.

the final blow to the theory that these criminals are inspired by the desire for revenge on that particular score.'<sup>1</sup>

The letters do however contain such expressions as :—

' You.....exceeded all limits, and, in my absence, made a night attack on my village in independent territory. ....and disturbed the peace of our independent and sleeping village .....I .....taught you what it was to surround the houses of honourable Musslamans at night.....overawed the innocent women folk '<sup>2</sup>

**728. Discussions**—The discussion recurs frequently throughout the correspondence, but the view officially accepted was that stated by the Chief Commissioner, N.-W. F. P., in December 1923 :—

' As regards the motive behind the outrages that have been committed by the Kohat gang there can be no doubt that both the Kohat and Parachinar enterprises were undertaken for the primary purpose of securing a hostage.'<sup>3</sup>

But if this is so, the murders were not deliberate in either case, and it seemed somewhat difficult to fasten the responsibility for either of them on the Afghan Government as the Chief Commissioner did in a telegram of December 12, 1923 :—

' I confidently assert, after most intensive study of problem of these outrages for the last five months, that Afghan Government is responsible for them Every criminal, traitor, or revolutionary, of whatever creed or race, who is hostile to the British Government, is sure of asylum and maintenance (often with rewards and honours) in Afghanistan, and there is no hope of terminating the series of outrages as long as Afghan Government pursue this policy. Series began with Foulkes' murder in 1920, and open rewarding of Mirzali, leader of that gang, was first manifestation of this policy, since consistently pursued (with occasional feeble reactions) by Afghan Government.'<sup>4</sup>

This view was contested by the Minister in his despatch 2 of January 3, 1924 :—

' In the general alarm and indignation caused by this succession of outrages, it is not surprising that theories of 'the hidden hand' or 'the nigger in the woodpile' type should find expression in the Anglo-Indian Press. If such theories were not countenanced in other quarters they might with advantage be disregarded, but when they are vehemently maintained by officers of great experience, whose personal sincerity is beyond question, they demand the most careful attention. The answer to the question how far the Afghan Government can fairly be held responsible for this 'series' of crimes is indeed of the first importance in relation to the two inseparable problems of Indian frontier administration and of future British relations with Afghanistan, since it is obvious that there is no hope of bringing about a cessation of such outrages until their true causes are accurately estimated.'

Sir N. Bolton's remarks are then quoted.

' At the present juncture when there seems a possibility that the circumstances of these occurrences may shortly be obscured, perhaps for ever, by the 'fog of war.' I feel it incumbent on me to present to His Majesty's Government, as briefly and impartially as I am able, my view of these outrages and of their significance. In regard to the reward stated to have been paid to Mirzali, a reference is invited to my memorandum No. 178 dated 18th May 1923 to the Government of India

(1) Murder of Lieut Dickson, R.E., on 12th December 1922.

Mr. Pears, in a note dated 19th January 1923, writes :

" The murder was of exactly the same type as those perpetrated by the Mullah Powindah and other hostiles on numerous occasions since 1903, done with the express intention of intimidating the officers of Government. Captain Bowring in 1903, Colonel Harman in 1904, Captain Donaldson in 1905, Major Dodd, Captain Brown and Lieut. Hickie in 1914; all these were murdered because the Mahsuds are convinced that the only way to treat Government is to hit it as hard as they can."

This makes no mention of any Afghan connection with this case, and controverts the view that the series of outrages in question started in 1920 with the murder of Colonel and Mrs. Foulkes.

(2) The murders of Majors Orr and Anderson on 8th April 1923 near Haidari Kandao were committed by two Afghan subjects from a base in Afghanistan, to which they returned after the crime. Its commission was facilitated by the relaxation of an old

<sup>1</sup>Memo. 561 F (7-12-1923), from G. of I., to N.-W. F (A. S. X, 67).

<sup>2</sup>(A. S. X, 5).

<sup>3</sup>Memo. 17479 (19-12-1923), from N.-W. F., to G. of I. (A. S. XI, 89).

<sup>4</sup>Tel. 17417 (12-12-1923), from N.-W. F., to G. of I. (A. S. X, 108).

rule placing this locality out of bounds for unescorted British officers, but for the punishment of these murderers the Afghan Government is entirely responsible, and has grossly failed to discharge its obligations.

(3) The murder of Mrs. Ellis and the kidnapping of Miss Ellis on April 15th were the direct outcome of a raid by the Frontier Constabulary on the house of Ajab in 'independent' territory.<sup>1</sup> The offenders in the crime were advertised to be making for Afghan territory. They did not do so, nor did they display any wish to go to Afghanistan, where they were subsequently sent under official instructions. I fail to see how the Afghan Government can fairly be held in any way responsible for the commission of this crime.

(4) On the 7th July 1923, Lieut. Webster was shot near Piazha Camp. In his memorandum No. 126|C, dated 2nd|3rd August 1923, Colonel Bruce, the Resident in Waziristan, recorded the result of his investigations. This was that "the murder was the work of two local badrargas and not in any way due to the jirga that we held at Kaniguram" (At this jirga Musa Khan and other hostiles had been reported to have discussed the plan of murdering a British officer in order to discredit the Khassadars). In Mr. Pears' memorandum No. 2111|S, dated 21st November 1923, this view is apparently accepted, but a hostile, Tilai by name, is said to have written to the Afghan Governor in Khost a letter in which he claimed to have murdered Lieut. Webster and to have hoped for a reward in consequence. This hope was, however, disappointed. The fact that Tilai hoped for a reward is in itself very significant, but does not affect Colonel Bruce's finding that this murder had actually nothing to do with the Kaniguram jirga, in which Afghan influence might have been traced. Colonel Bruce's report makes no charge of Afghan instigation or responsibility for this crime.

(5) On September 30th, Captain Baker Jones was shot while travelling by car in Baluchistan 13 miles from Harnai. This crime has, in his letter No. 2-S., dated 20th December 1923, been officially reported by the Agent to the Governor-General in Baluchistan to have been unintentionally committed, according to the only information available, by two British tribesmen, who wished by firing at a Government car to call attention to some tribal grievances of their own. They are believed to have fled to Kandahar, and a demand has been made to the Afghan Government for their deportation from the neighbourhood of the Indian frontier or their exclusion from Afghanistan. The Afghan Government cannot, in my opinion, be held in any way responsible for this crime.

(6) On November 8th, as has been mentioned, Captain and Mrs. Watts were murdered in Parachinar by members, it may be concluded, of the Kohat or Landi Kotal gangs. This crime of course would never have taken place if the Afghan Government had discharged their obligations to remove the Kohat gang from the neighbourhood of the Indian frontier. Their failure to do so is rendered more culpable by the fact that I had repeatedly warned the Foreign Minister that, unless these murderers were quickly dealt with, there was an imminent probability of their committing a further outrage. The immediate cause of this crime is probably to be found in Ajab's anxiety to obtain a hostage as a means of negotiating a settlement, the urgent necessity of which was brought home to him by the development of pressure from both sides of the border.<sup>2</sup>

(7) The murder of Major Finnis on November 30th is the subject of a detailed report by the Resident in Waziristan. He writes: "We need have no hesitation in saying that the Zilli Khels concerned constitute a gang which is representative of the leading Zilli Khel hostiles in Afghan pay, either as Khassadars or as Maliks. \* \* \*

(c) The raid might have been committed at the secret instigation of some of the anti-British party in Afghanistan. \* \* \* \* This theory is intelligible, but there is no evidence yet to support it.

(d) The raid might have been committed as an ordinary Wazir manœuvre in the contest between the Wana Wazirs and Government. \* \* \*

Theory (d) is the only one compatible with all the known facts."

It appears, therefore, that, as shown by the recorded opinions of frontier officers which have been communicated to me officially, no connection can be traced between the murders of Lieut. Dickson (No. 1), of Lieut. Webster (No. 4), or of Captain Baker Jones (No. 5), and any act or omission of the Afghan Government, that the Kohat outrage

<sup>1</sup> Vide tel from N.-W. F., No. 400-P, dated 3rd May 1923. "It may be admitted that Mrs. Ellis would be alive to-day, if successful counter raid on Bosti Khel had not been made".

<sup>2</sup>Cf. "on account of the fear of two upper and lower Kingdoms."

(Ajab's letter dated 15th November 1923 to the Chaknawar Mullah.)

(No 3) is adequately accounted for by causes extraneous to Afghan policy ; that in the Parachinar case (No 4) the Afghan Government are clearly guilty of facilitating the crime by their failure to take timely action, and that in both these cases the omission of that Government to dispose of the culprits must, so long as these are in Afghan territory, be regarded as a definitely unfriendly act ; that in the Landi Kotal case (No. 2) the responsibility of the Afghan Government for the punishment of the offenders has been clear throughout ; and that in the Finnis case (No 7) although there is nothing to show that the crime was instigated by that Government, it cannot be acquitted of responsibility for the actions of those in its pay.

There is, as I have lost no opportunity of impressing upon the Amir and his Ministers, much that is strongly objectionable in the Afghan attitude towards such crimes, particularly the asylum which has long been afforded in Afghan territory to those that commit them ; and the Foreign Minister has during the present crisis repeatedly emphasised the necessity of regulating the procedure in regard to refugee criminals from either country by a formal reciprocal agreement.

As Mr. Pears' note on the Dickson case, however, shows, the 'series' of such outrages goes back for very many years, and cannot be said to begin on any recent date. The curve of such crimes rises and falls, and if the rise is to be checked, the new factors attending it must be discovered, since it is among these that the causes will probably be found. In the category of such new factors cannot be included the Jalalabad jirgas, since similar jirgas of British tribesmen have been held for many years by past Amirs. Nor can the harbourage afforded to offenders or the payment of Afghan allowances be so included, since these also are customs of long standing ; and if it could be proved that rewards are actually paid by the Amir to murderers, past records would probably furnish precedents even for such direct encouragement of crime. There appears to me to be only two new factors in Afghan policy which would, and in all probability do, produce an atmosphere favourable to the increase of such outrages, first, the emphasis laid by the Amir on the glory of 'Jehad', and on his own title of 'Ghazi', and second, his employment of Afghan Khassadars on the British side of the line. But unless all the new factors in the situation are on the Afghan side, the adoption of a correct attitude by the Afghan Government cannot be the only condition precedent to the cessation of such crimes. Nor, in my opinion, is such the case. The following appear to be new factors in the conduct of British frontier policy which bear on the present problem :

- (1) Road making in Mahsud country which, it is understood, was generally expected by Frontier officers to lead, in its early stages, to outrages ;
- (2) disregard, as shown in the raid on Ajab's house, of the prejudices of the tribes against direct action by Government forces in the 'independent' belt ;
- (3) the use of aeroplanes for punitive measures against the tribal habitations ;
- (4) simultaneously with these new causes of irritation, a relaxation or disregard of rules framed in quieter times for the protection of British lives.

These remarks are not of course intended as a general criticism of recent frontier policy ; the main results of which may well be held to outweigh any incidental drawbacks I have, in fact, previously submitted that the consolidation of the British position on the frontier is a necessary preliminary to a successful solution of the Afghan problem. Thus, while it is clear that there must be no lack of firmness in insisting that the Amir's Government should discourage, and dissociate themselves from, such outrages, these outrages cannot, in my opinion, be expected to cease if the whole of the responsibility for them is fixed on the Afghan Government. The general explanation of these crimes, which has been quoted above, appears to me for these reasons both inadequate and dangerous.<sup>11</sup>

In May 1924 Sir F. Humphrys wrote :—

' So far as I am able to judge these murderous outrages are generally deplored by the Amir and the Central Government in their own interests, and I have received no evidence that they are encouraged or condoned even by local Afghan officials. There are strong grounds for believing that the Amir and all educated Afghans are anxious to show that the old tradition of fanaticism and barbarism in this country has been officially abandoned, and that Afghanistan is engaged in proving its title to be regarded as a civilised state. In my opinion it is the instinct of revenge and plunder, which is so deeply implanted in the Pathan, that is directly responsible for these outrages. On the other hand it is undeniable that Afghan interference with British tribesmen, especially in regard to the employment of Khassadars on the British side of the line, has in fact

<sup>11</sup>Kabul despatch 2 (3-1-1924) (A. S. XII, 32).

produced an atmosphere of unrest, which is favourable to the manifestation of anti-British activities, while the fanatical promptings of the late Sardar Nasrulla Khan have left their impress on the frontier.'<sup>1</sup>

The Government of India agreed generally :—

' Though here again, in the case at any rate of his local officials, account must be taken of the fact that what we regard as a murderous outrage may sometimes appear to others as killing in open fight '<sup>2</sup>

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<sup>1</sup>Kabul memo. 253 (8-5-1924) (A. S. XIV, 223).

<sup>2</sup>Memo. 1-F. (27-5-1924), from G of I, to Min., Kabul (*ibid*, 284-B.).

## APPENDIX IV.

### THE CLAIM OF THE AMIR TO BE STYLED ' HIS MAJESTY ' AND ' KING '.

729. 'His Majesty'.—The style of 'His Majesty' was officially conceded by the Treaty of 1809 to Shah Shuja, as King of Kabul, and by the Treaty of 1839 to Shah Kamran, as Amir of Herat. In the treaties with Dost Muhammad Khan, Muhammad Yakub Khan, and Abdur Rahman Khan, however, the title of 'His Highness' was employed. In the Treaty of 1905 Habibullah Khan was referred to as 'His Majesty Siraj-ul-Millat-wa-ud-din Amir Habibullah Khan, Independent King of the State of Afghanistan and its dependencies'. In the reply to the letter received from Amanullah Khan on his accession, he was addressed simply as 'Amir Amanullah Khan, Amir of Afghanistan and its dependencies.'<sup>1</sup>

His claim to be styled 'His Majesty' was put forward by the Afghan delegates at the fifth meeting of the Rawalpindi Conference :—

'The Chief Afghan delegate then reverted to the question of the Treaty, and asked that "His Majesty" should be inserted before the name of the Amir. The Chief British Representative said that was beyond his powers. It was solely in the power of His Majesty King George the Fifth. The Chief Afghan delegate said he made the request in a friendly way, and acceptance would increase their friendship. The Chief British Representative said he quite agreed, and possibly if friendship did come that might come with it, but he did not know.'<sup>2</sup>

The Government of India recommended that the title should be conceded :—

'You are aware that our marked omission to address Amir as "His Majesty" was made a great point of by Afghan delegates. There is no doubt that this omission caused grave offence..... If Amir Amanullah makes good, we shall sooner or later in any case have to accord the title which was recognized in Dane Treaty, and there is no object in keeping him and Afghan Government in a state of irritation on this small point.'<sup>3</sup>

The Secretary of State replied :—

'Your present argument logically involves the Amir being given in advance, as bribes, the advantages which are intended to be rewards after good behaviour for six months, and I am very reluctant to say or do anything which would suggest that Afghan Government has been restored to favour, until it has given some earnest of good behaviour in the future. Grant of title at present juncture seems to be likely merely to serve to enhance Amir's sense of own importance to us, and this makes it less likely that resumption of negotiations will find him in amenable frame of mind.'<sup>4</sup>

And in a later telegram said :—

'Whatever language may have been used in conversation, I regret that, until Amir has given evidence of goodwill, . . . . . I cannot sanction official use of title of 'Majesty'.<sup>5</sup>

The divergence between the views of the Government of India and His Majesty's Government continued to make itself apparent from time to time in subsequent correspondence. Thus the Government of India repeated their recommendation in April 1920,<sup>6</sup> when the Secretary of State in reply said he would, if occasion arose, be prepared to consider the point, but 'must warn you that there is strong opposition to be overcome.'<sup>7</sup> The question was included by the Afghan delegates at the Mussoorie Conference among the points on which they required information,<sup>8</sup> but was not dealt with in the official discussions. Sir H. Dobbs reported :—

<sup>1</sup>Para. 36

<sup>2</sup>Letter 99 I. C (20-8-1919), from Ch. Br. Rep., to G. of I. (Progs. Oct 1920, 797).

<sup>3</sup>Tel. 1218 (23-8-1919), from Viceroy, to S of S. (Progs. Oct 1919, 96).

<sup>4</sup>Tel. (28-8-1919), from S of S., to Viceroy (*ibid*, 129).

<sup>5</sup>Tel. (8-9-1919), from S of S., to Viceroy (*ibid*, 181).

<sup>6</sup>Tel. 53 (12-4-1920), from Viceroy, to S of S. (Progs. Oct. 1920, 386),

<sup>7</sup>Tel. (16-4-1920), from S. of S., to Viceroy (*ibid*, 402).

<sup>8</sup>*Ibid*, 416.

'I am very uneasy as to results of discussion on point (6) refusal of title of 'His Majesty'. Very confidential enquiry goes to show that great importance is attached to this point and that the whole conference may be wrecked upon it.'<sup>1</sup>

On this the Government of India again recommended that the title should be granted,<sup>2</sup> but the Secretary of State adhered to the position stated in his telegram of September 9, 1919.<sup>3</sup>

The grant of the title was included by the Government of India in the conditions on which they proposed that the British Mission should be sent to Kabul.<sup>4</sup> The Secretary of State again held that this concession should be reserved until the conclusion of a satisfactory Treaty,<sup>5</sup> and after taking His Majesty the King's commands reaffirmed these instructions.<sup>6</sup>

The title was eventually conceded in the complimentary message sent by the King on the conclusion of the Anglo-Afghan Treaty.<sup>7</sup>

730 'King'.—The claims of Shah Shuja and of Habibullah Khan to the title of King had been recognised by the Treaties of 1809 and 1905.

The point arose during the negotiation of the present Anglo-Afghan Treaty :—

'We have ascertained from Dobbs that Tarzi inserted the title of "Badshah of Afghanistan" in clause 3 of Persian text of draft treaty. Dobbs translates this as "King of Afghanistan". We think that word "Badshah" should be reproduced by Dobbs in English text, but that, should Afghans demur to this, and press for insertion of "King", Dobbs should, in view of precedent in Dane Treaty, comply at once without further argument. But "His Majesty the Amir of Afghanistan" should be the actual style to be recognised, and used by us in official correspondence.'<sup>8</sup>

The Secretary of State replied 'I agree as regards style, and will approach His Majesty accordingly. It is most desirable that title of Amir should be used ordinarily, and King will use it on present occasion.'<sup>9</sup> After taking His Majesty's pleasure however, he stated 'the style of "King" may also be conceded in Treaty.'<sup>10</sup>

Only the Persian text of the Treaty was authentic, and in that the word 'Badshah' was employed. In the English version however this was (incorrectly) translated 'Amir'.<sup>11</sup>

In March 1924 information was received that the Amir intended shortly to assume the title of 'Shah'.<sup>12</sup> The instructions of His Majesty's Government were :—

'We consider change of title of sovereign of an independent State to be purely a domestic affair, and there can be no objection, provided that it does not imply extension of sovereignty to other States or peoples. A formal acknowledgment will be sufficient, if and when you receive official intimation from Afghan Government. Title of 'Shah' will be translated by same word in English'.<sup>13</sup>

In June 1926 the Afghan Foreign Office informed the British Legation at Kabul that the Amir would 'in future be styled as 'Padshah' which title is already used in Article III of Treaty'.<sup>14</sup> The Afghan Foreign Minister informed the British Minister that he hoped 'Padshah' would be translated 'King' in English,<sup>15</sup> and this was approved by the King Emperor.<sup>16</sup>

<sup>1</sup> Progs Oct. 1920, 430

<sup>2</sup> Tel 522 (30-4-1920), from Viceroy, to S. of S. (*ibid*, 455).

<sup>3</sup> Tel (4-5-1920), from S. of S., to Viceroy (*ibid*, 470)

<sup>4</sup> Tel 1201 (15-10-1920), from Viceroy, to S. of S. (A. S. IV, 633).

<sup>5</sup> Tel 4152 (19-12-1920), from S. of S., to Viceroy (*ibid*, 697).

<sup>6</sup> Tel. 3420 (8-7-1921) (A. S. V, 499)

<sup>7</sup> Para 189

<sup>8</sup> Tel 916 (22-6-1921), from Viceroy, to S. of S. (A. S. V, 409).

<sup>9</sup> Tel 3135 (23-6-1921), from S. of S., to Viceroy (*ibid*, 416)

<sup>10</sup> Tel 3420 (8-7-1921), from S. of S., to Viceroy (*ibid*, 499)

<sup>11</sup> Kabul despatch 56 (4-12-1923), Enclo 1 (A. S. XI, 40)

<sup>12</sup> Kabul tel 71 (15-3-1924) (A. S. XIII, 212).

<sup>13</sup> Tel 13 (21-3-1924), from S. of S. F. A., to Min., Kabul (*ibid*, 259).

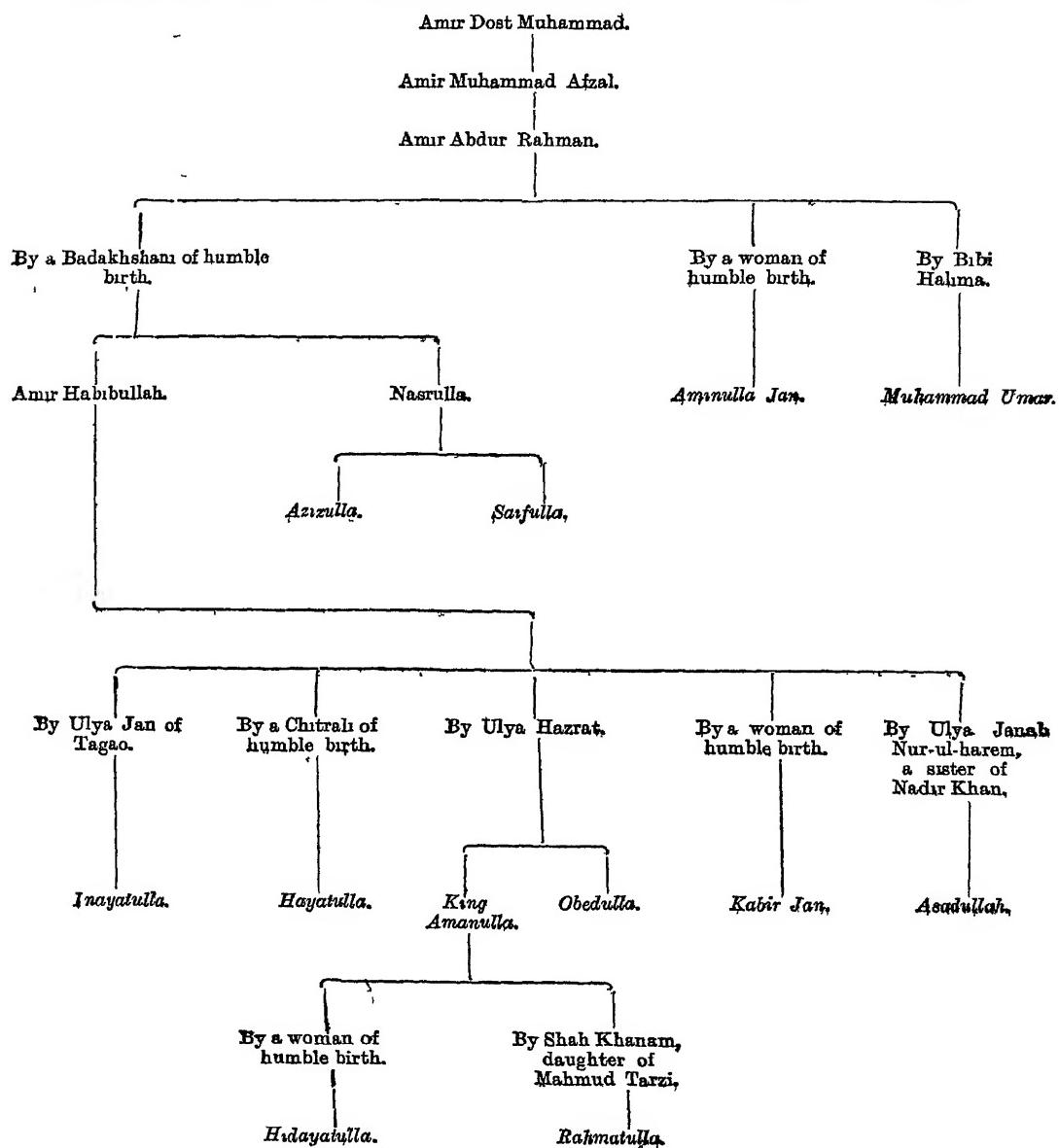
<sup>14</sup> Kabul tel. 81 (10-6-1926) (A. S. XX, 72).

<sup>15</sup> Kabul tel 86 (1-7-1926) (*ibid*, 103).

<sup>16</sup> F. O. tel. 20 (9-7-1926) (*ibid*, 111).

APPENDIX V.

GENEOLOGICAL TREE OF THE PRINCIPAL MEMBERS OF THE AFGHAN ROYAL FAMILY.\*



\*Enclosure to Kabul despatch 75 (6-9-1926) (A. S. XX 195).

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## APPENDIX VI.

### THE CONSTITUTION OF THE AFGHAN GOVERNMENT.

732. **The Nizamnama on the subject.**—A translation of the Code, published in October 1923, which defines the constitution of the Afghan Government, was forwarded with Kabul despatch 90 of November 23, 1927 :—

#### 733. The position of the King.

1 The State of Afghanistan is absolutely independent in its internal and external administration, and forms a single kingdom under the rule of His Majesty the King. There is no distinction whatsoever between the various parts of the kingdom.

2 The religion of Afghanistan is Islam. People of other religions, such as Hindus and Jews, who live in Afghanistan, also enjoy protection, provided they do not violate the public peace and tranquillity.

3. The capital of Afghanistan is Kabul. All the inhabitants of the kingdom of Afghanistan, have equal rights in the eyes of the Government, and the inhabitants of Kabul have no superiority over the inhabitants of other cities and towns in the Kingdom.

4 In view of the extraordinary services rendered by His Majesty the King in the way of the progress, advancement, and independence of the Afghan nation, the Afghan nation agree that the crown of Afghanistan will be transferred to the descendants of this King, on the principle of selection from his progeny by His Majesty the King and the community. His Majesty, on ascending the throne, agreed in the presence of nobles and the people that he would issue government orders in accordance with Islamic Law and this Nizamnama Asasi, and would observe and acknowledge the independence of Afghanistan for the country and the nation.

5. His Majesty the King is a servant and protector of Islam, and is also ruler and king of all the subjects of Afghanistan.

6. The affairs of the kingdom are carried out through the Ministers of the Crown, who are selected and appointed by Royal Decree. As each Minister is held responsible for the affairs of his Department, the King is not responsible for these affairs.

#### 7. The following are the Royal prerogatives :—

The King's name to be mentioned in sermons.

Coins to bear the King's name.

The definition of ranks and grades according to special laws.

The nomination and appointment of Prime Minister and of other Ministers, also their dismissal and transfer.

Sanction of general laws and regulations, and their promulgation.

The maintenance and execution of Islamic and administrative laws.

General command of the military forces of Afghanistan.

Declaration of war.

The conclusion of peace and of treaties.

The grant of pardon and the reduction of legal punishments.

#### 734. General rights of Afghan subjects.

8. All who live in Afghanistan, irrespective of the religion and faith they profess, are called Afghan subjects. Afghan nationality can be assumed and revoked in accordance with the terms of a special Nizamnama.

9. All subjects of Afghanistan enjoy personal freedom, and are not allowed to violate and destroy the freedom of others.

10. Personal freedom of the subjects is immune from all sorts of interference and aggression, and no one can be put in confinement or inflicted with punishment except under Islamic and administrative laws. Slavery is absolutely forbidden in Afghanistan, and no one may employ any man or woman as a slave.

11. The Press and publications enjoy freedom in the country according to their special Nizamnames. Only the Afghan Government and Afghan subjects living in the

country enjoy the right of publishing newspapers. The Afghan Government may impose conditions and restrictions in regard to foreign publications.

12 Afghan subjects can form commercial, industrial, and agricultural companies in accordance with the regulations in force.

13 Afghan subjects can jointly or individually submit a complaint to a Government Department against a Mamur or other officer, if they find him behaving contrary to Islamic law and Government regulations. But if the Government pay no attention to their complaint, then the complainants should approach their superior officers, and on failing to obtain justice from them, a petition can be directly submitted to the King.

14 There is no restriction on education. Any Afghan subject is authorised to impart ordinary or special education, in accordance with the general curriculum defined in the Education Department. But foreigners, except those who are employed for education, are not allowed to open and conduct schools within the kingdom of Afghanistan.

15 All schools in Afghanistan are conducted under the supervision and inspection of Government. Government adopts all means and measures for the educational and national training of the whole body of Afghan subjects, for the purpose of regularising and uniting them all. But it cannot violate educational principles, relating to the religion and dogmas of those to whom peace and protection has been guaranteed.

16. Afghan subjects enjoy equal rights under Islamic Law and Government regulations with regard to administrative affairs.

17 Any Afghan subject may be employed in any Government offices, according to his qualification and abilities, and according to the requirements of the Government.

18. Land revenue and taxes are assessed on and recovered from Afghan subjects according to the relevant Nizamnama on payment of its price to its owner.

19 No one in Afghanistan can have any fear with regard to his landed property. If land is required by Government for a useful public purpose, the same will be acquired according to the relevant Nizamnama on payment of its price to its owner.

20 Houses and residential quarters of all Afghan subjects are immune from aggression, and no one on behalf of Government, or of the public, can make a forcible entry into a house without permission, except under orders issued according to the laws.

21 In Courts of Justice public plaints and complaints are decided according to Islamic Law, and the rules of the Civil and Criminal Judicature.

22 Forced labour is absolutely forbidden, but work and labour, required in time of war and taken according to a special Nizamnama, is an exception to this rule.

23 No recovery can be made from any one against the provisions of Government regulations.

24. Torturing with racks, etc., is absolutely forbidden and only such punishments as are mentioned in Civil and Military Penal Codes can be inflicted.

### 735. Ministers.

25 It is duty of the Cabinet (formed of Ministers and the independent Mudir) to look to the administration of the country. The Cabinet is usually presided over by the King, but in his absence the Prime Minister takes the chair. However, if the Prime Minister should also be away, then the Minister of the Senior Ministry discharges the duties of the President.

26. A Wakil who is appointed to act in the absence of a Minister, will have the same powers and rights as were enjoyed by the permanent Minister.

27. A grand durbar presided over by the King will be annually held before the "Jashan" (celebration of independence), on a day fixed by the King. The durbar will be attended by Government officers, notables and gentry, selected by the King. In this durbar each Minister and independent Mudir will make a statement of his work for the last year.

28 The Prime Minister and other Ministers are nominated and appointed direct by the King.

29. All important home and foreign affairs of Government are referred to the Cabinet. The discussions of the Cabinet, and the resolutions requiring approval, are brought in force after being signed by the King.

30. Ministers carry affairs concerning their own Ministries to the extent of their powers, and the matters beyond their powers, which are required to be submitted direct to the King, are forwarded to His Majesty, and those which, according to the constitution of the Cabinet, are to be dealt with by the Cabinet, are forwarded and referred to the

Cabinet, which according to its special Nizamnama holds discussions about the points of the case, and the Ministers of the Cabinet sign their findings.

31 All Ministers are responsible to the King jointly for the general politics of the kingdom, and individually for the matters concerning their respective Ministers.

32 If the King gives a verbal order to a Minister or any officer, it is necessary that a written order to that effect duly signed by the King should also be obtained.

33. The trial of Ministers, prosecuted for matters connected with the duties of their office, are referred to the Diwan-i-Ali (Supreme Court), and the trial is held according to a special Nizamnama. Personal claims by or against Ministers, which have no connection with their office, will be dealt with in the ordinary way by a Court of Justice.

34. A Minister, who is under trial by the High Court, will be suspended from service pending the result of the trial and his acquittal.

35. The number of Ministries and constitution of Departments, together with their respective duties are explained in the Nizamnama-i-Tashkilat-i-Asasiya (Fundamental Constitutions).

### **736. Mamurin (Civil Officers).**

36 Civil officers are appointed to posts for which they are considered fit and capable, in accordance with the provisions of special regulations. No civil officer, unless he resigns his post or is dismissed from service for bad conduct, or for some special reasons is transferred or discharged from service, can be dismissed or discharged. Civil officers who have a good character and show special aptitude for their work are granted promotion.

37 The duties of civil officers are defined in their special Nizamnames, and every officer is responsible for his duty according to the special Nizamnames.

38 All Mamurs are bound to obey the orders of their superiors, as defined in the regulations. But if their superiors insist on making them comply with an order which is contrary to government regulations, the subordinate Mamurs are required to report the matter to the Central Ministry. If they comply with an illegal order without informing the Central Ministry, they also will be held responsible for their action.

### **737. Advisory Committee of the Government.**

39. There is an Advisory Committee at the capital of the kingdom, and there are Councils, one in each Governorship (Naib-ul-Hukumat, Hukumat-i-Ala, Hukumat of the 1st, 2nd or 3rd class) and also in sub-districts.

40. Members of the Advisory Committee and of the Councils are composed of nominated members and elected members.

41. Nominated members of the Councils are appointed from the Mamurs mentioned in the Nizamnama of Tashkilat-i-Asasiya ; and nominated members of the Advisory Committee of the Government are selected and appointed by the King. Their number is equal to that of the elected members. Elected members are elected and appointed by the inhabitants. There is a separate article about their election in the Nizamnama Tashkilat-i-Asasiya.

42 The Advisory Committee and the Councils are bound to perform the following duties, in addition to those mentioned in the Nizamnama of Tashkilat-i-Asasiya—

A.—To keep the Government informed of things which appear to them useful for the progress of industries, trade, agriculture, and education.

B.—To complain and protest against such actions of the Government as appear to them to contravene regulations, with regard to revenue, taxes, and other matters, in order to amend such matters.

C.—To complain to the Government, if they find that rights of the inhabitants defined by this Nizamnama are violated.

43 Proposals which are submitted by the Councils of the Provinces and localities to the Naib-ul-Hukumats and the Hakims are carried out by the Naib-ul-Hukumats and Hakims, if they find the proposals within their powers. Otherwise the same are forwarded to the Ministries concerned, which will take action thereon if necessary. Otherwise the Ministry will proceed as provided for in article 30. But if the proposal relates to a legal matter, then it will be dealt with according to article 46 of this Nizamnama.

44 If the Councils receive no reply from the Naib-ul-Hukumats and the local Hakims about the proposals submitted to them, the Councils are authorised to submit their demands to the Advisory Committee of the Government.

45. The Advisory Committee will note its opinion on complaints received from the Councils, and forward the same to the Ministry concerned. If the Ministry delays action

on the complaint the Advisory Committee of Government can submit the case direct to the King.

46. Government Nizamnames, after being discussed by the Advisory Committee, are submitted to the Cabinet, and brought into force after they have been approved by the Cabinet and sanctioned by the King.

47. Besides permanent members of the Advisory Committee of Government, all civil officers not lower than the rank of Hakim-i-Ala, and military officers not lower than the rank of Lawa Mashar, when relieved from service, except those who have been legally convicted, can temporarily be nominated as members of the Committee, as long as they are without employment.

48. The annual budget, after being prepared by the Ministry of Finance, is checked by the Advisory Committee according to the Budget Rules and Regulations.

49. Negotiations and treaties with foreign governments are discussed and carried out by the Advisory Committee of the Government.

### **738. Judicial Courts.**

50. In judicial courts all kinds of cases are tried in open court. Some of the cases, which are mentioned in the special Nizamnama of Courts, can be tried *in camera* by the judge.

51 Everyone is at liberty to utilize all lawful means to safeguard his interests in Courts.

52. Courts of justice are not allowed to delay the hearing and settlement of cases which are within their jurisdiction.

53. All courts are free from interference of all kinds.

54. Classes and grades of courts with their powers and jurisdiction are explained in the Nizamnama of Tashkilat-i-Asasi.

55. No one is allowed to form an extraordinary department to settle cases out of judicial courts.

### **739. Diwan-i-Ali (Supreme Court).**

56. The Supreme Court is temporarily formed, when necessary, for the trial of Government Ministers, and is dissolved when it has finished the work entrusted to it.

57. The formation of the Supreme Court, and the procedure for trials in the court are conducted according to a special Nizamnama.

### **740. Financial Affairs.**

58. Government taxes should be recovered as provided for in special regulations.

59. A budget estimate is annually prepared for government income and expenditure, and this budget forms the basis for government income and expenditure which are collected and expended accordingly.

60. After the annual budget is checked and worked out, a balance sheet is prepared to show actual income and expenditure of the year.

61. An Audit Committee is usually formed for audit of accounts, and for enquiry whether income and expenditure of the State have been carried out according to the Budget Rules and Regulations. (There is a special Nizamnama about the Audit Committee).

62. There is also a special Nizamnama for the preparation of a Balance Sheet, and budget estimate, and for checking and working it out.

### **741. Provincial Departments.**

63. Principles of Provincial Departments are based on three fundamental rules :—

(1) Extent of authority.

(2) Limitation of duties.

(3) Definition of responsibilities.

By the said rules the duties of the provincial officers are defined according to the regulations, and their powers are limited by a special Nizamnama. All officers are responsible to their respective superiors with regard to their duties.

64. Mamurs from each branch of the Ministries are separately appointed in all Provinces, and the inhabitants are required to apply to these Mamurs with regard to their work and needs.

65. If Mamurs show lack of attention to their public duties, and act contrary to the rules and regulations, the inhabitants are allowed to submit complaints against the Mamurs,

about their negligence and misbehaviour, to their superiors, and when necessary to the Naib-ul-Hukumats and the Hakims-i-Ala.

66. The formation of Municipal Offices and their duties are explained in their special Nizamnama.

67. If rebellion and insurrection calculated to violate public peace and tranquillity are anticipated in any part of the country, the Government will proclaim martial law, and form a Military Department.

#### 742. Miscellaneous.

68. Primary education is incumbent and compulsory on Afghan subjects. Grades and classes of education are defined in a special Nizamnama in accordance with which action is taken.

69. No article of this Nizamnama can be held in abeyance on any ground or for any reason.

70. If an article of this Nizamnama should need to be amended, this can be done on the votes of two-thirds of the members of the Advisory Committee, with the approval of the Cabinet and sanction of the King.

71. If an explanation of any article of this Nizamnama or of other Government Nizamnames is considered necessary, the same is entrusted to the Advisory Committee, and will be printed and published after being corrected and explained by the Advisory Committee and approved by the Cabinet.

72. At the time of framing regulations special consideration is paid to the public interest and needs of the time, particularly, with regard to Islamic Law.

73. Immunity of letters is a public right, and, except by special authorisation of a Court, all letters and despatches of the inhabitants, which are despatched through the Post Office, are not opened in any Post Office or in any other place, but are delivered intact to the addressees.

Sanction is accorded to the articles of this Nizamnama Asasi which are framed for the Constitution of the Afghan Government, with the unanimous concurrence of the Ministers of the Kingdom, and of national delegates in the session of the Loi Jirga in the Eastern Province, and in acceptance of which 872 members of the Jirga have put their seals and signatures to it.

We hereby order and will that this Nizamnama should be included in Government Rules and Regulations, and that its orders and articles be brought into force.

## APPENDIX VII.

### INCUMBENTS OF APPOINTMENTS MENTIONED IN THE PRECIS.

The following list gives the incumbents of the appointments, British and Afghan, most frequently referred to in the correspondence, with dates of tenure :—

#### 743. British.

			Date of assuming charge
<i>Secretary of State for Foreign Affairs.</i>			
The Marquis Curzon of Kedleston	..	..	29th October 1919.
Mr. James Ramsay MacDonald	..	..	23rd January 1924.
Sir Austen Chamberlain	..	..	7th November 1924.
<i>Secretary of State for India.</i>			
Viscount Peel	..	..	21st March 1922.
Lord Olivier	..	..	23rd January 1924.
The Earl of Birkenhead	..	..	7th November 1924.
<i>Viceroy and Governor-General of India.</i>			
Viscount Chelmsford	..	..	4th April 1916.
The Marquis of Reading	..	..	3rd April 1921.
Lord Irwin	..	..	4th April 1926.
<i>Foreign Secretary to the Government of India.</i>			
Sir H. Grant	..	..	11th February 1914.
Sir P. Cox	..	..	1st April 1914.
Sir H. Grant	..	..	17th October 1914.
Sir D. Bray	..	..	3rd September 1917.
Sir H. Grant	..	..	8th October 1917.
Sir D. Bray	..	..	21st November 1918.
Sir H. Grant	..	..	3rd June 1919.
Sir D. Bray	..	..	10th September 1919.
Sir H. Dobbs	..	..	14th September 1919.
Mr. A. N. L. Cater (offg.)	..	..	13th April 1920.
Sir H. Dobbs	..	..	7th August 1920.
Sir D. Bray	..	..	10th December 1920.
Mr. E. B. Howell (offg.)	..	..	9th May 1922.
Sir D. Bray	..	..	14th June 1922.
Mr. E. B. Howell (offg.)	..	..	14th September 1923.
Sir D. Bray	..	..	14th April 1924.
Mr. E. B. Howell (offg.)	..	..	8th October 1926.
Sir D. Bray	..	..	11th April 1927.
<i>Chief Commissioner, North-West Frontier Province.</i>			
Sir H. Grant	..	..	10th September 1919.
Sir J. Maffey	..	..	8th March 1921.
Sir N. Bolton	..	..	7th July 1923.
Lt.-Col. W. J. Keen (offg.)	..	..	From 2nd December 1925 to 8th August 1926.
<i>Agent to the Governor-General, Baluchistan.</i>			
Col. Sir A. Dew	..	..	1st September 1919.
Sir F. Johnston	..	..	14th June 1922.
Mr. S. E. Pears (offg.)	..	..	From 7th May 1924 to 29th October 1924.

Date of  
assuming charge.

*His Majesty's Minister, Kabul.*

Sir F. Humphrys .. . . . 27th January 1922.

*Chargé d'Affaires.*

Mr. R. R. Maconachie .. . . . From 30th May 1924  
to 26th October 1924.  
Mr. B. J. Gould .. . . . From 11th March 1927.

**744. Afghan.**

*Foreign Minister.*

S. Mahmud Tarzi .. . . .	..	February 1919.
S. Muhammad Wali .. . . .	..	June 1922.
S. Sher Ahmad Khan (offg.) .. . . .	..	April 1924.
S. Mahmud Tarzi .. . . .	..	September 1924.
Ghulam Siddiq Khan (offg.) .. . . .	..	January 1927.

*Minister of War.*

S. Muhammad Nadir Khan .. . . .	..	May 1919.
S. Muhammad Hashim Khan (offg.) .. . . .	..	January 1922.
S. Muhammad Nadir Khan .. . . .	..	September 1922.
S. Muhammad Wali Khan .. . . .	..	April 1924.

*Minister of Interior.*

S. Ali Ahmad Jan .. . . .	..	August 1919.
Abdul Aziz Khan .. . . .	..	September 1922.

*Minister of Commerce.*

Ghulam Muhammad Khan .. . . .	..	March 1919.
Abdul Hadi Khan .. . . .	..	April 1924.

*President of Assembly.*

S. Sher Ahmad Khan .. . . .	..	April 1924.
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*Legations.*

*London.*

Abdul Hadi Khan .. . . .	..	March 1922.
Syed Qasim Khan (C. D'A.) .. . . .	..	June 1924.
Shuja-ed-Douleh .. . . .	..	May 1925.

*Paris.*

S. Mahmud Tarzi .. . . .	..	September 1922.
S. Nadir Khan .. . . .	..	August 1924.
Ghulam Nabi Khan .. . . .	..	October 1926.

*Berlin.*

Muhammad Edib Khan .. . . .	..	? (1921).
Ghulam Siddiq Khan .. . . .	..	September 1922.
Ahmad Ali Khan .. . . .	..	September 1925.

*Rome.*

S. Sher Ahmad Khan .. . . .	..	November 1921.
Azimullah Khan .. . . .	..	September 1922.
Ali Muhammad Khan .. . . .	..	February 1927.

Date of  
assuming charge.

*Moscow.*

Mirza Muhammad Khan ..	..	?	(1920).
Ghulam Nabi Khan ..	..	?	(1922).
S. Muhammad Hashim Khan ..	..		January 1924.
Mirza Muhammad Khan ..	..		November 1926.

*Tehran.*

S. Abdul Aziz Khan ..	..	..	May 1920.
Mir Muhammad Hussain ..	..	..	September 1925.
S. Abdul Aziz Khan ..	..	..	February 1927.

*Angora.*

Muhammad Haidar Khan ..	..	..	November 1924.
Ghulam Jilani Khan ..	'..	..	December 1925.

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